

**MINUTES
BOARD OF ZONING APPEALS
APRIL 19, 2018
LAKEWOOD CITY HALL**

**PRE-REVIEW MEETING
6:00 P.M.
EAST CONFERENCE ROOM**

**REVIEW MEETING
6:30 P.M.
AUDITORIUM**

1. Introduction of New Member, Jillian Bolino, and Administering of Oath
2. Roll Call

Members Present

Christopher Bindel, Vice Chair
Jillian Bolino
Zach Brown
Kyle Krewson, Chairman

Others Present

Michelle Nochta, BZA Secretary, P&D Program Coordinator
Andrew Fleck, Assistant Law Director
Michael Molinski, Building Commissioner, City Architect

A motion was made by Mr. Krewson, seconded by Mr. Bindel to **EXCUSE** the absence of James Amendola. All of the members voting yea, the motion passed.

3. Election of Chair

A motion was made by Mr. Bindel, seconded by Ms. Bolino to **ELECT** Mr. Krewson as Chairman for 2018. All of the members voting yea, the motion passed.

4. Election of Vice Chair

A motion was made by Mr. Krewson, seconded by Mr. Brown to **ELECT** Mr. Bindel as Vice Chair. All of the members voting yea, the motion passed.

5. Approve the minutes of the December 21, 2017 meeting

A motion was made by Mr. Bindel, seconded by Mr. Krewson to **APPROVE** the minutes of the December 21, 2017 meeting. Mr. Krewson, Mr. Bindel and Mr. Brown voting yea and Ms. Bolino abstaining, the motion passed.

6. Opening Remarks

Ms. Nochta read the Opening Remarks.

OLD BUSINESS

7. **Docket No. 01-01-18
17820 Shaw Avenue**

Aaron T. Lemley, applicant and property owner requests the review and approval of a variance to not rebuild a garage, pursuant to Section 1143.05 – Schedule of Uses and Space Requirements, the property is located in an R2, Single and Two Family district. This item was deferred from the cancelled January, February, and

March meetings; additionally it will be withdrawn administratively at the meeting in April, as further examination of the request revealed there was no variance required. (Page 3)

The members acknowledged the item was withdrawn administratively. No further action was required.

8. **Docket No. 01-02-18**
15100 Edgewater Drive

Frank Scalish, Scalish Construction applicant and property owner requests the review and approval of variance for a fence in the front yard, pursuant to section 1153.02(a) – Regulations, the property is located in an R1H, Single Family, High Density district. This item was deferred from the cancelled January, February, and March meetings. (Page 11)

At the request of the applicant, the item was deferred until May 17, 2018. No vote was taken by the members.

9. **Docket No. 03-03-18**
1637 Chesterland Avenue

Ronald L. Blondeaux, applicant and property owner requests the review and approval for a variance of 80 sq. ft. to build an addition on the rear of home; existing 6' x 12' addition to be removed, pursuant to section 1121.09(c) - maximum rear lot area coverage, the property is located in an R1H, Single Family, High Density district. This item was deferred from the cancelled March meeting. (Page 15)

Ronald L. Blondeaux, applicant and property owner was present to explain the request.

City administration presented a brief description of the property and the previous variance granted years ago by the Board of Zoning Appeals. City administration supported the request. There were no questions or comments from the members. Public comment was closed.

A motion was made by Mr. Bindel, seconded by Mr. Brown to **APPROVE** the request. All of the members voting yea, the motion passed.

10. **Docket No. 03-04-18**
2091 Lakeland Avenue

Vincent Monachino, applicant and property owner requests the review and approval for a variance of 1 foot, 8.5 inches to build a garage 22' high, pursuant to section 1121.05(b) - height regulations, the property is located in an R1H, Single Family High Density district. This item was deferred from the cancelled March meeting. (Page 27)

Vincent Monachino, applicant and property owner was present to explain the request. Ms. Nohta stated that recalculations reduced the variance request to 1 foot, 5 inches.

City administration did not support the request. Mr. Monachino said there would not be a dormer. The members said that the need for a hardship was not met. City administration said the lot was large enough for a horizontal element. Public comment was closed. As the design had not been finalized and foundations not poured, the members said there was still time to design something that would not require a variance.

A motion was made by Mr. Krewson, seconded by Mr. Bindel to **DENY** the request. Mr. Bindel, Ms. Bolino, Mr. Krewson voting yea, and Mr. Brown voting nay, the motion passed.

11. **Docket No. 03-05-18**
1577 Riverside Drive

Stephen N. Jouriles, SNJ Design Studio, applicant requests the review and approval for a variance of 134 sq. ft. to build a detached garage and covered ADA ramp connected to the primary structure, pursuant to section 1121.09(c) - maximum rear lot area coverage, the property is located in an R2, Single and Two Family district. This item was deferred from the cancelled March meeting. (Page 40)

Stephen N. Jouriles, SNJ Design Studio, applicant was present to explain the request.

Administrative staff supported the request on an unusually shaped parcel on a corner lot with little rear yard. There was no further discussion by the members. Public comment was closed.

A motion was made by Mr. Bindel, seconded by Ms. Bolino to **APPROVE** the request. All of the members voting yea, the motion passed.

NEW BUSINESS

12. **Docket No. 04-06-18**
14907 Edgewater Drive

John A. Viglianco, property owner and applicant requests the review and approval for a variance of 336 sf to construct an 816 sf garage in the side yard, pursuant to section 1121.03(a) - permitted accessory uses and section 1121.09(c) - maximum lot area coverage, the property is located in an R1H, Single Family, High Density district. (Page 54)

John A. Viglianco, property owner and applicant and Chris Jammal, Architect were present to explain the request.

City administration said the parcel was unusually configured; although it appeared the front of the house faced Abbieshire Avenue, it faced Edgewater Drive legally. After clarification of where the property lines lay, the administration supported the request as presented. The members asked about the right-of way, the need for a large garage, the intended use of the second level of a garage.

Public comment was taken and two letters of opposition were read into record.

The members and staff discussed the parameters of the request along with the neighbors' privacy concerns. Mr. Krewson decided to split the request into two separate items.

A motion was made by Mr. Bindel, seconded by Ms. Bolino to **APPROVE** the request for a garage in the side yard. All of the members voting yea, the motion passed.

A motion was made by Mr. Krewson seconded by Mr. Bindel to **APPROVE** the request for a garage to be built as shown in the plans in front of the building line with the following stipulation:

- The garage is used for ancillary storage only.

All of the members voting yea, the motion passed.

13. **Docket No. 04-07-18**
16613 Hilliard Road

Preston Buchtel, Design + Planning + Construction, applicant requests the review and approval for a variance to construct a 106 sf unroofed patio deck 112 inches above grade, pursuant to section 1121.03(d) - an

unroofed patio deck not to exceed 300 square feet in area and forty-two (42) inches above grade, the property is in an R1H, Single Family, High Density district. (Page 66)

Preston Buchtel, Design + Planning + Construction, applicant was present to explain the request.

Administrative staff supported the request. The design was approved by the Architectural Board of Review ("ABR") at its April 12, 2018 meeting. The members said it was a modest request. Public comment was closed.

A motion was made by Mr. Krewson seconded by Mr. Bindel to **APPROVE** the request. All of the members voting yea, the motion passed.

14. **Docket No. 04-08-18**
1057 Parkside Drive

Andy Henley, Hen-House LLC, applicant requests the review and approval of a proposed unroofed patio deck 209 sf, deck at 2 ft. above grade; requesting an area variance of 7 ft. to extend the front deck into the front yard beyond the established building line and place the deck foundation at 29', pursuant to section 1121.07 - minimum yard requirements for principal buildings and section 1133.02 - structure in front of building line, the property is located in an R1M, Single Family, Medium Density district. (Page 77)

Drew Senney, property owner was present to explain the request. At the April 12, 2018 meeting, the design was presented to ABR and deferred until the May meeting. Design modifications were made as a result of the meeting.

City administration wanted strongly to maintain the front yard setback and recommended the members to deny the request. The members and staff discussed various scenarios. Public comment was taken. After further discussion among the members, the applicant asked for a deferral.

At the request of the applicant, the item was deferred until May 17, 2018. No vote was taken by the members.

15. **Docket No. 04-09-18**
1653 Robinwood Avenue

Theresa Ferline-Carr, property owner and applicant requests the review and approval for a variance to exceed the maximum rear lot coverage by an accessory structure by 45 sf, pursuant to section 1121.03(a) - permitted accessory uses; a garage not to exceed 480 square feet in area, the property is located in an R1H, Single Family, High Density district. (Page 85)

Theresa Ferline-Carr, property owner and applicant was present to explain the request. Additional photographs were handed to the members (made part of record). It was clarified by the applicant the request was for a 78 sf variance.

Administrative staff did not oppose the request. The members applauded the applicant's desire to move the garage closer to the rear of the property. Public comment was closed.

A motion was made by Mr. Brown, seconded by Mr. Krewson to **APPROVE** the request. All of the members voting yea, the motion passed.

ADJOURN

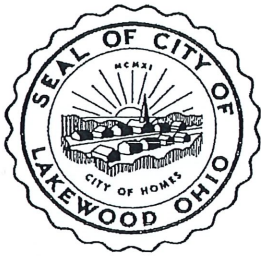
A motion was made by Mr. Krewson, seconded by Mr. Bindel to **ADJOURN** the meeting at 7:58 p.m. All of the members voting yea, the motion passed.

Signature



Date

6/21/18



Oath

(You need not give an oath if you object. If you object to giving an oath, please notify the hearing officer or secretary before signing below.)

I, the undersigned, hereby solemnly swear that the testimony I give at this proceeding will be the truth, the whole truth and nothing but the truth:

PRINT NAME:

SIGN NAME:

1. RONALD BLONDERAY

[Signature]

2. Vince Monachino

[Signature]

3. STEPHEN JOURILES

[Signature]

4. JOHN VIGLIANO

[Signature]

5. CHRIS JAMMAL

[Signature]

6. Theresa Fernine Carr

Theresa Fernine Carr

7. Marianne Burkhardt Asak

[Signature]

8. Grace Quasebarth

[Signature]

9. Proctor Bittel

[Signature]

10. Drew Samoy

[Signature]

11. _____

Prepared by: The City of Lakewood Law Department, 12650 Detroit Ave., Lakewood, Ohio 44107

FOR CITY USE ONLY

Lakewood Administrative Procedure: ☐ ABR/BBS ☐ Citizens Advisory ☐ Civil Svc. ☐ Dangerous Dog ☐ Income Tax Appeals ☐ Loan Approval ☐ Nuisance Abatement Appeals ☐ Parking ☐ Planning ☒ Zoning Appeals ☐ Other:

Date of Proceeding: Thursday, April 19, 2018

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Mr. and Mrs. Quasebarth
1057 Abbieshire Avenue
Lakewood, Ohio 44107

To: City of Lakewood - Board of Zoning Appeals re: Docket 4-06-18 April 20, 2018

Dear Sir or Madam:

We are responding to the request of 14907 Edgewater Dr. to have variances granted allowing them to build a large 1.5 story 4 car garage with an extra large 10' sidewall (2' over all Abbieshire sidewalls), 816 sf garage and a 2 story (partial) addition onto the back of their home. We believe that the city of Lakewood offers unique and wonderful living opportunities for its residents. In addition, we feel investments in existing properties are important for both the resident and the community. Thus, we commend and welcome the idea of some additions to maintain and increase property values as well as comfortable living environments.

However, we feel that the size and scope of the garage and addition requested is overwhelming and out of proportion with the placement of other homes on Abbieshire Ave. This size particularly refers to the 336 sq. foot variance they request to build an oversized 4 car garage with a peak that is 19ft., which is many feet (7 feet) taller than any existing garages on Abbieshire. What is the intended use of this garage? What are the HVAC-mechanical plans? No garages have an apartment or office above them on our street. In addition, since this is a two story structure, we find that this large garage and in combination with the 1-2 story brick addition on the back of the house would be overpowering, nearly filling the whole back yard and creating a lack of privacy for Abbieshire residents by giving this Edgewater property a towering view of all the backyards of the east Abbieshire residents and in addition blocking the line of site for all residents on Abbieshire Ave. to the south of the 14907 Edgewater Dr. Although, many of the homes on Abbieshire Ave. have small additions, none have one that almost completely fills the entire depth of the property from the house to the garage. This is particularly important to Abbieshire residents for the following reason. *Although this home has an Edgewater Dr. Address, their home is **currently oriented on the property in a manner and depth consistent with all the homes on Abbieshire Ave.*** The ratio of land to actual buildings on properties are important to maintain for multiple reasons. The historic construction of Lakewood is mostly detached garages with a rear yard separating the house from the garage. This allows clear use of the backyards and some privacy with the lines of site, enabling clear vision in either direction of flanking neighbors. Secondly, these lines of site give privacy from neighbors by having houses not adjacent to your own not in view adjacent to your yard. This is particularly relevant because this addition requested is a two story one (from our view it would be approx. 31' high brick a wall/roof combination sloped down to a garage peak of 19') and would definitely fill the entire rear yard and block these lines of site and also give them a view of all Abbieshire homes/backyards to the South of their lot (we lose privacy), especially since they have windows in the plans that face south on both the garage and house. No one wants a towering neighbor's house and garage upstairs overlooking their yard. In addition, such a brick wall

April 20, 2018

Page 2

would for us creates a feeling of being closed or penned in and also block existing views of the lake we have to the north. The repetitive placement of homes and garages on adjacent Lakewood properties is an important inherent functional characteristic indicative to Lakewood neighborhoods and other such historical communities built during the same period. We feel that altering this periodicity in the original layout and design of our street would not only decrease the historic character and use of our living environment (creating a hardship for us) but also decrease resale value of homes nearby. Would you allow every homeowner in Lakewood to fill the yard in with addition from the house to the garage regardless of the size of the lot? No one wants to to stare at a 15-30 ft brick and shingle wall with windows for a neighbor or have them look down upon your yard, *and especially since we did not purchase it that way*. In fact, they are creating a large fence wall, yet codes for privacy fences are only 6 feet. **Thus, we oppose the request for the 14907 Edgewater Dr. extra large garage and addition in its current layout and format.**

While we support and understand the reasons and desires for such an addition, we hope that the board will consider the reasons listed above and the effect and impact such an addition could have on neighboring properties. We sincerely hope that the addition requested can be redesigned (*i.e.* In fact this property is unique in that it has plenty of space to build north of the existing structure so as to add the additions going to the north rather than east of the existing home) and done in a manner that will enhance both property values and living environments of not only the 14907 Edgewater Dr. address but that of its neighbors as well.

Sincerely,

Mrs. Marianne Quasebarth Usiak

and

Mr. Gary Quasebarth

Thank you for your time...

Garage Elevation Scale Reality

It's clear the architect submittal for the proposed addition is vague and misleading!

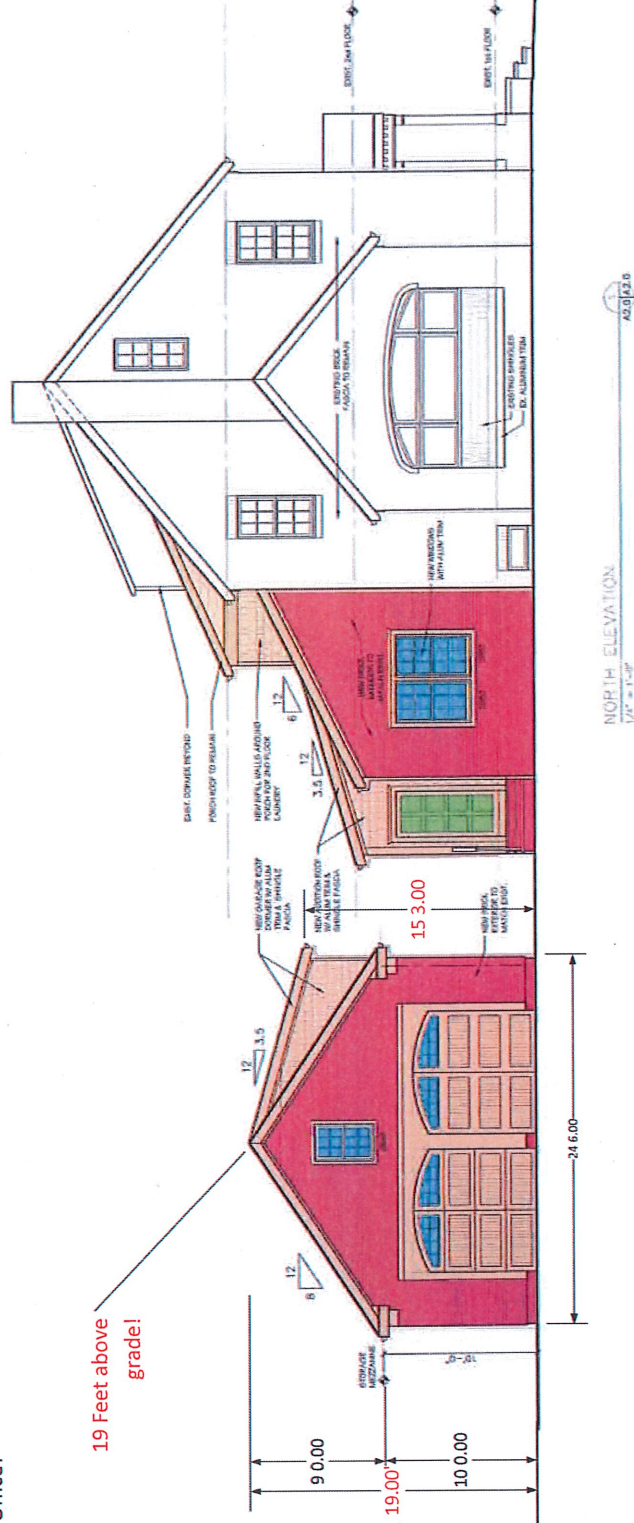
Shown at true scale below reveals the real impact on the airspace which will impeded the view of ALL residences south of this property!

What is the intended use of the second level of this garage? Apartment or Office?

Submitted by
Gary Quasebarth PE
4/19/18

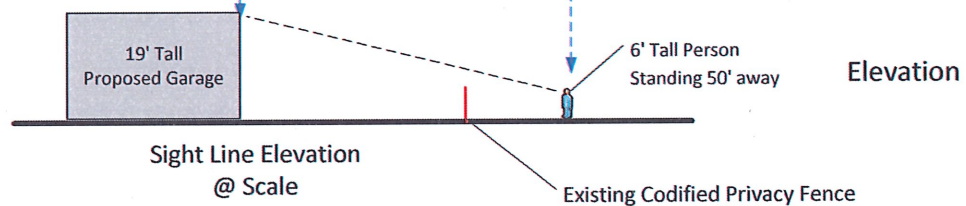
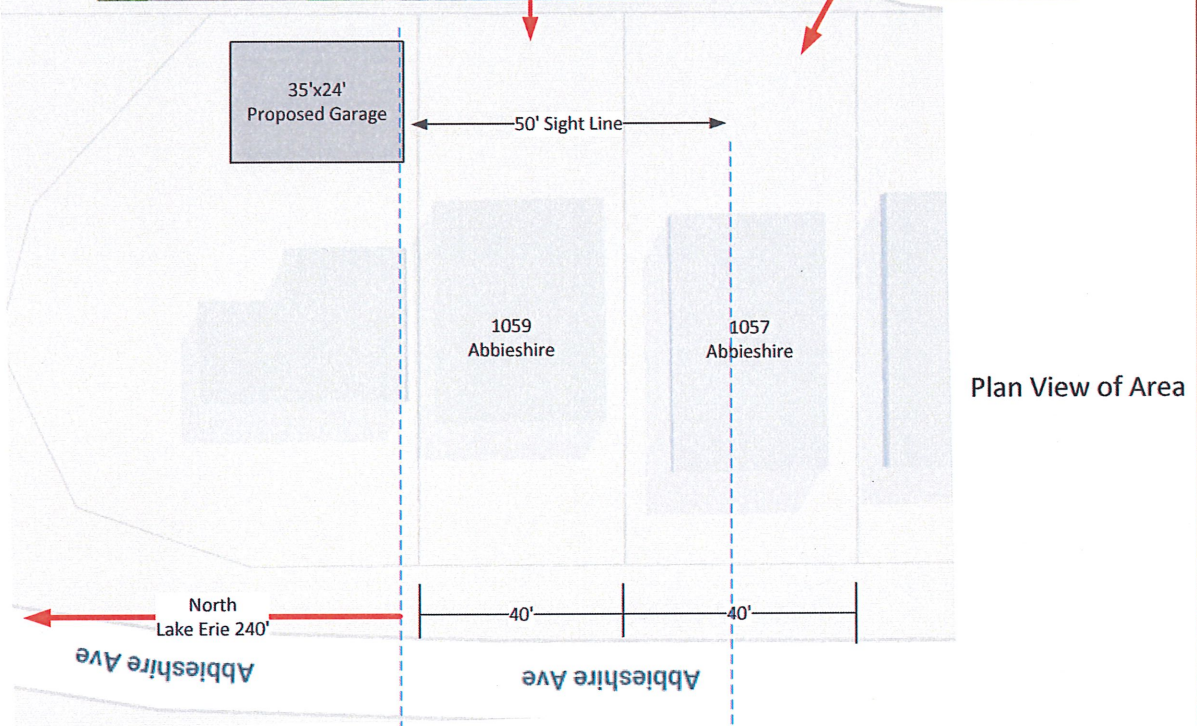
19 Feet above
grade!

Existing Structure pictured at
elevation scale is no greater
than 10' above grade!



NORTH ELEVATION
1/4" = 1'-0"

Front Elevation
Looking East from Abbieshire Ave



This elevation clearly shows the scale of the proposed garage and how out of scale it is with other structures on Abbieshire Ave.

The plans submitted have been carefully crafted to hide the building impact on the properties to the south! Clearly poor site planning and design execution by all parties involved!

Gary C Quasebarth PE
4/19/18

May it please the Board of Zoning Appeals?

Ladies and gentlemen, tonight we have come together to review the construction of a two story 4 car, 816 square foot garage within the limits of a high density residential district. This garage is not to code, and a variance is needed. In this situation, it would be in the best interests of the entire neighborhood for this edifice not to be constructed in such a constrained space for several reasons:

ONE: The construction of this garage would be on the premises of a Single Family, High Density district. In other words, the construction of a two story garage with a FOUR car garage on a lot where there is already a home, and in an area of high residential density is outlandish and unnecessary. This building would be completely out of proportion to all other buildings located on Abbieshire Avenue, and would appear to be more of an eyesore for neighbours than any good it would do residents of Abbieshire. The homes located on Abbieshire avenue are all of modest size, and on average feature a one and a half car garage. This massive structure, as well as a massive addition onto the main house would look out of place when placed with our neighborhood. It should not be asked of the residents of an entire neighborhood to sacrifice the atmosphere of their place of living for one to expand their place of living by hundreds of square feet.

TWO: The construction of this edifice would serve as a loss of privacy to the residences of Abbieshire Avenue, and would ultimately depreciate the value of homes on Abbieshire Avenue. By building a two story brick garage, with windows on the second floor, residents would experience a major loss of privacy in their homes and their lives. The home is a place where people deserve privacy, and by building this outlandish garage, the residents of Abbieshire would lose the privacy they so deserve. This loss of privacy also contributes to the feeling of being constrained and boxed in. In a high density residential area, people prize any bit of space every breath of fresh air they take. Staring at a brick wall does not sound like a relaxing view for many under any circumstances.

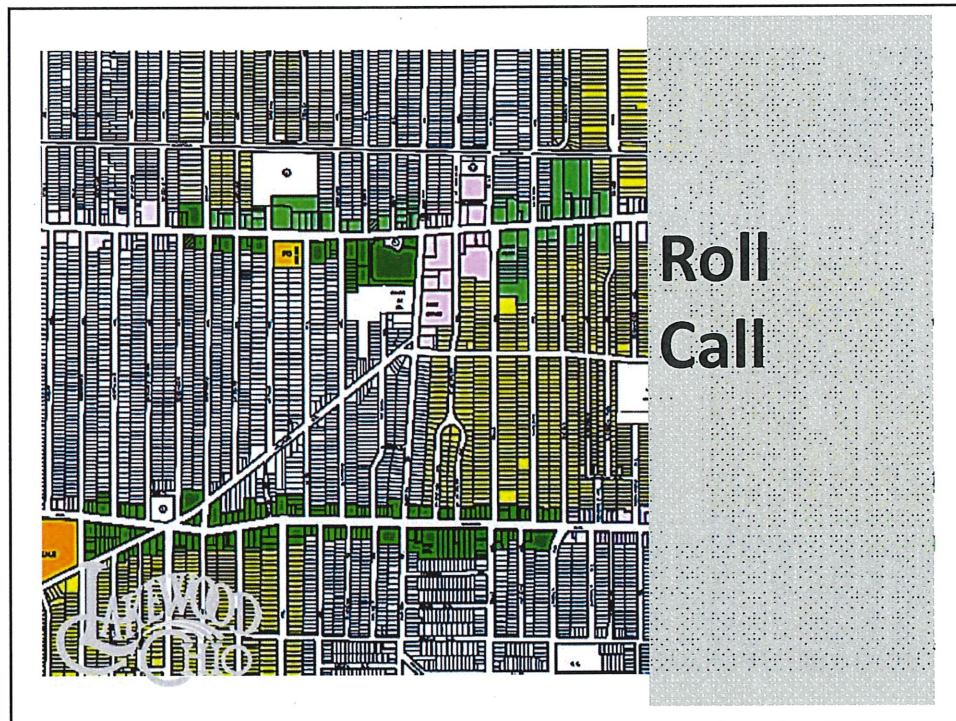
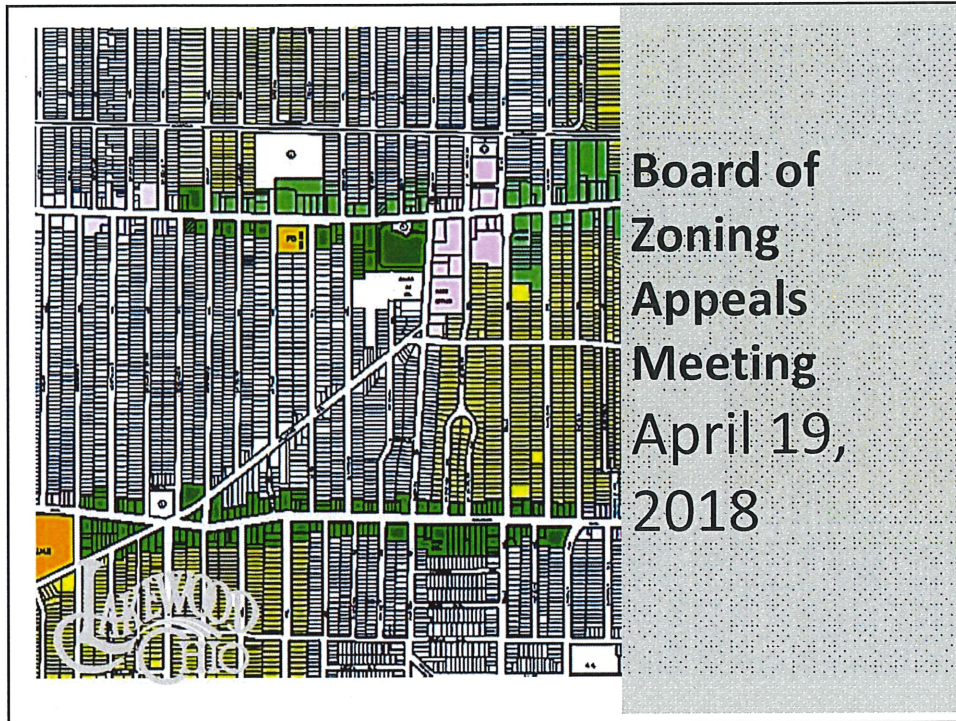
To build off of this, on top of a loss of privacy and the added constraints this would bring to an already constrained neighbourhood, the building of this structure will ultimately lead to the decline and depreciation of values within the neighbourhood. People do not want to live in a place where they have no privacy, and where they feel trapped and constrained. People value every bit of nature they have, and it just so happens that a major piece of nature we have in our residential area is none other than Lake Erie itself. Replacing the fascinating and calming view of Lake Erie with a brick wall will no doubt have negative effects on our residential area. I repeat, brick walls are not a relaxing view to stare at- and cannot replace the view of Lake Erie. These three factors combined, a loss of privacy, added constraints, and the loss of a priceless view are not worth the costs of what could come from constructing this building. By removing privacy and walling off a great view, our neighbourhood will no doubt depreciate in value and will not be as appealing of a location to live. In a city where real estate is very successful, we must think of the bigger picture instead of ourselves and see who this would really benefit in the long term.

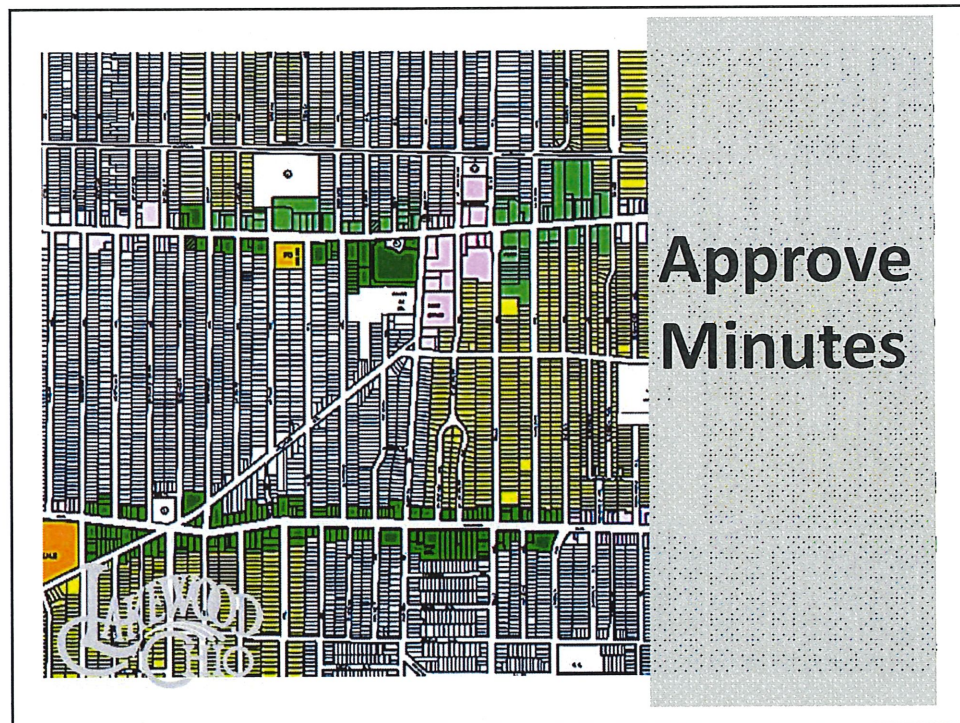
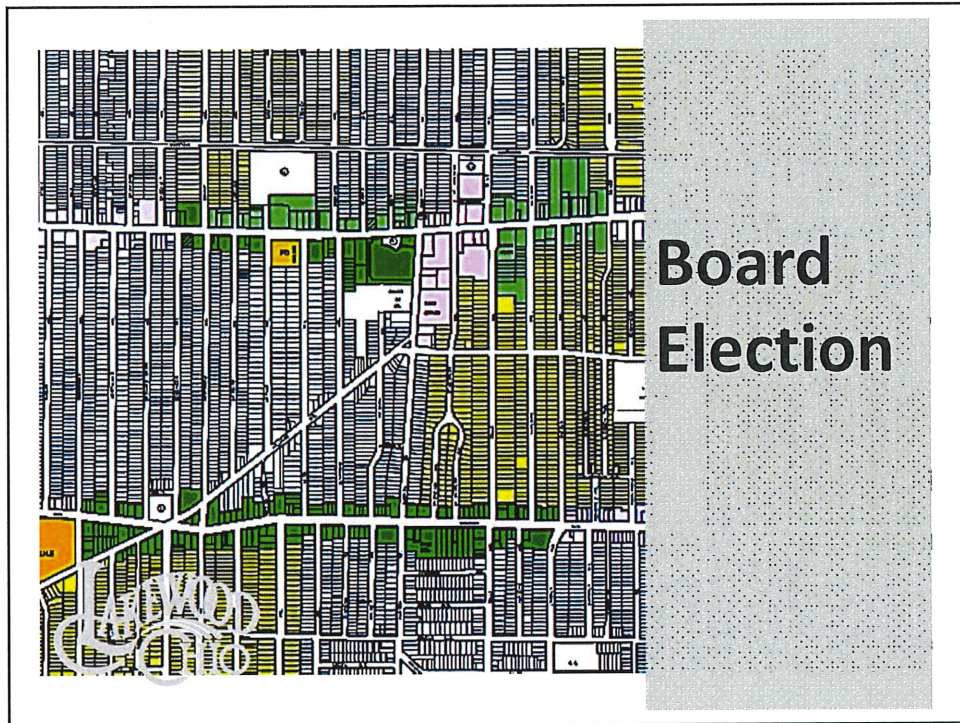
In conclusion, I ask that you deny any variance that might have been granted for the sake of an entire residential area. This addition is clearly unnecessary, and would not have any benefit to the entire neighborhood- it would only promote more anxieties.

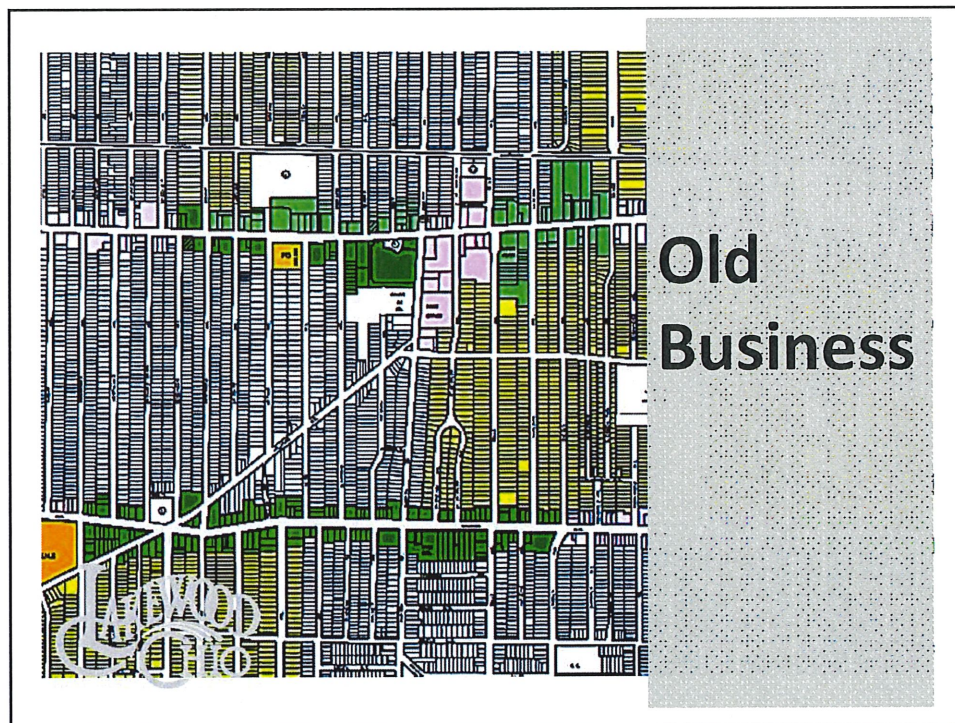
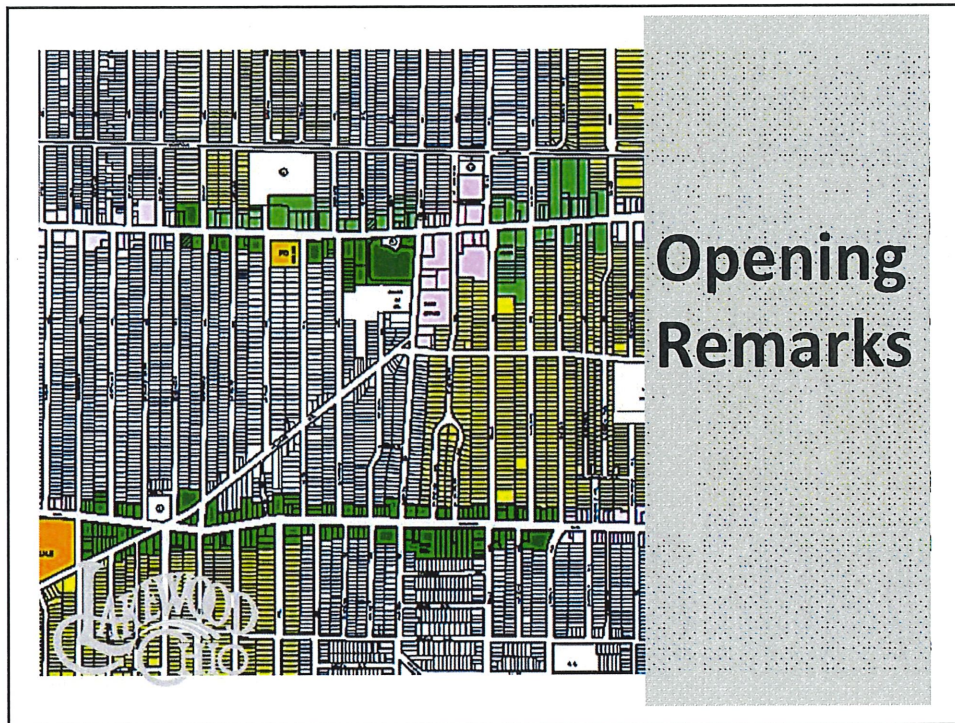
Concerns Regarding: Docket Number 04-06-18 (14907 Edgewater Drive)

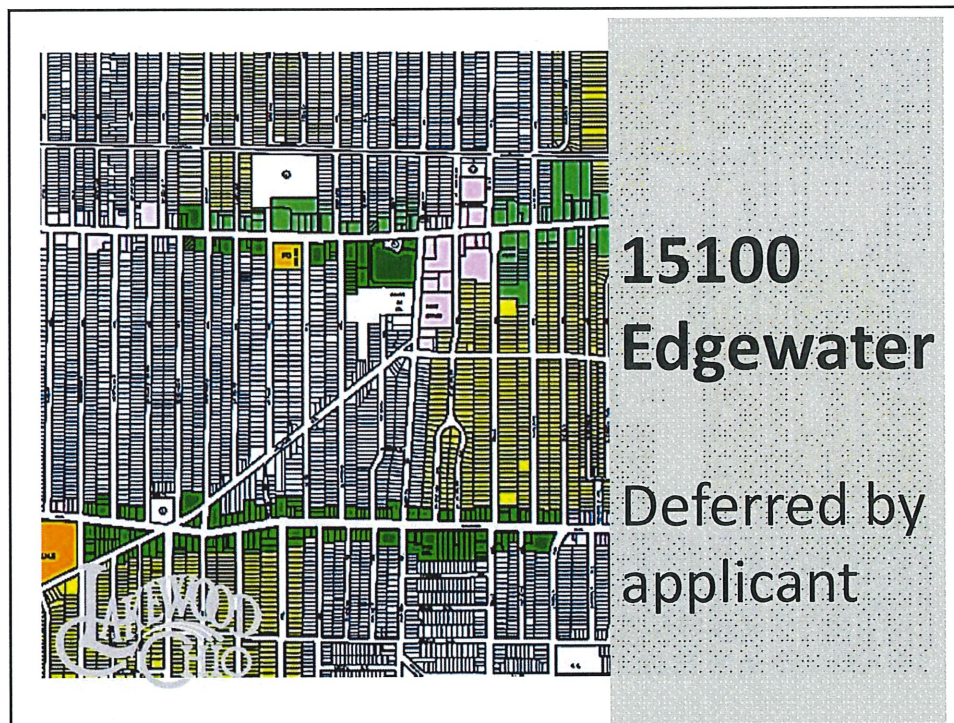
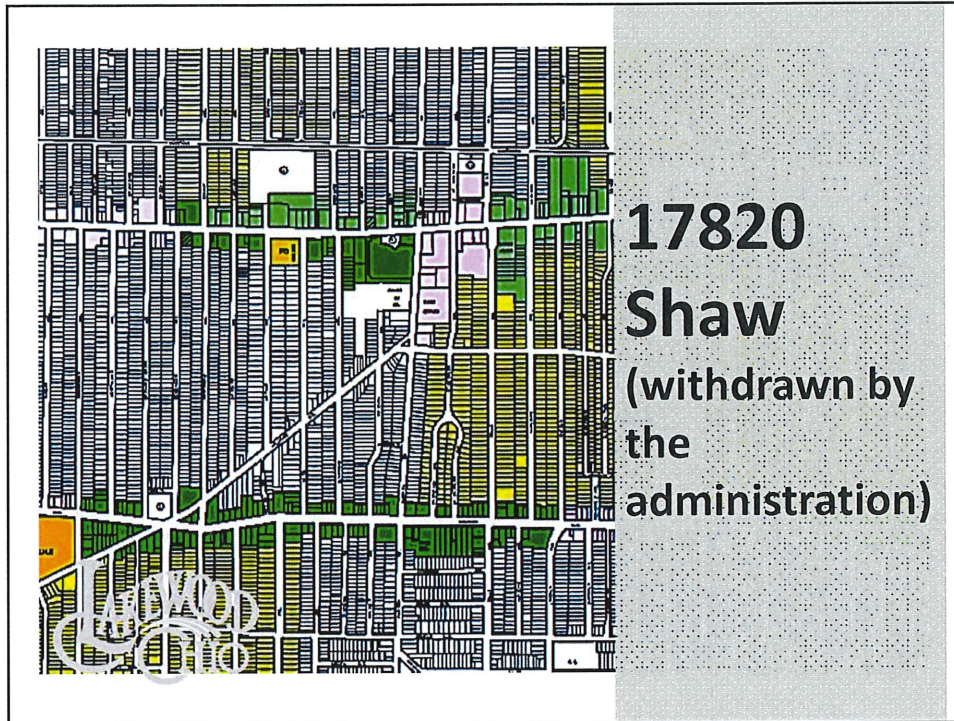
Please consider the reasons I have stated above and ask yourself: would creating a more cramped and crowded environment be in the best interests of ALL residents in the big picture?

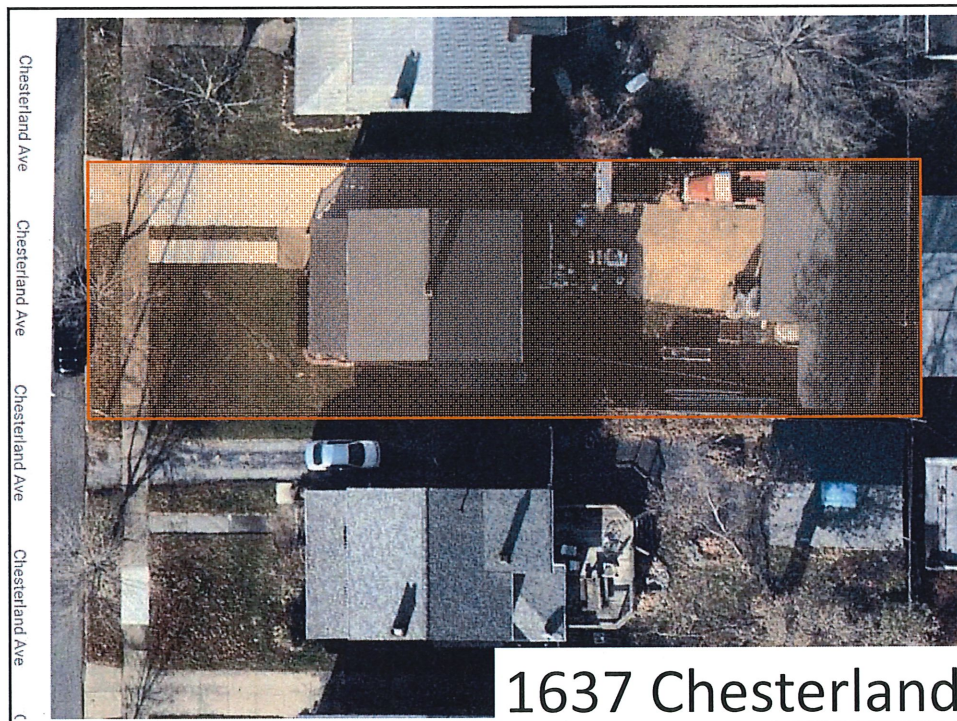
Respectfully,
Grace Quasebarth











4/24/2018



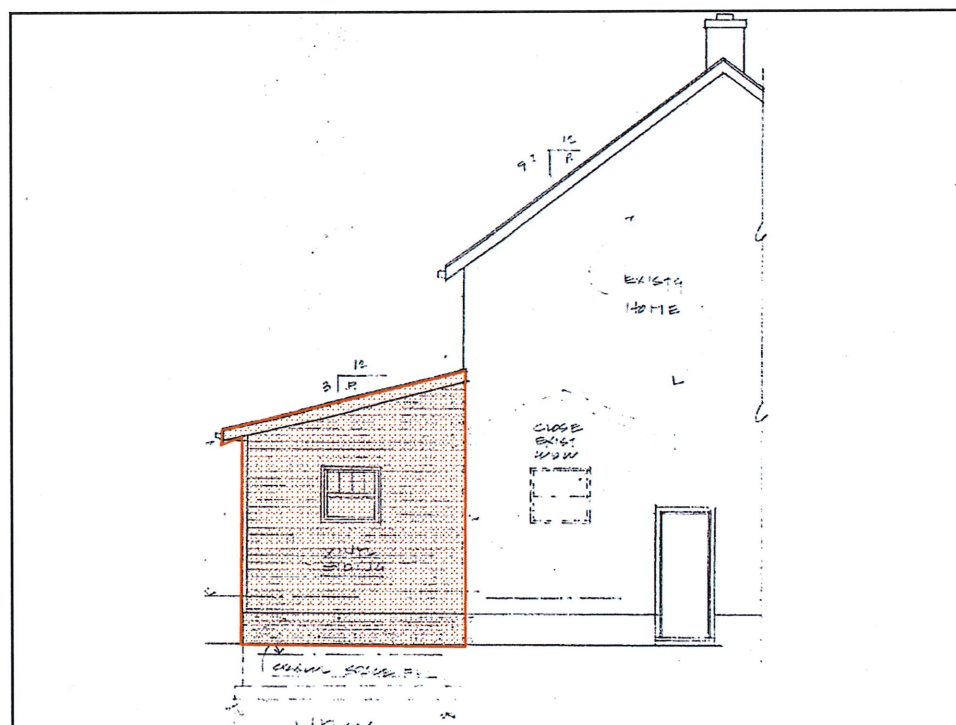
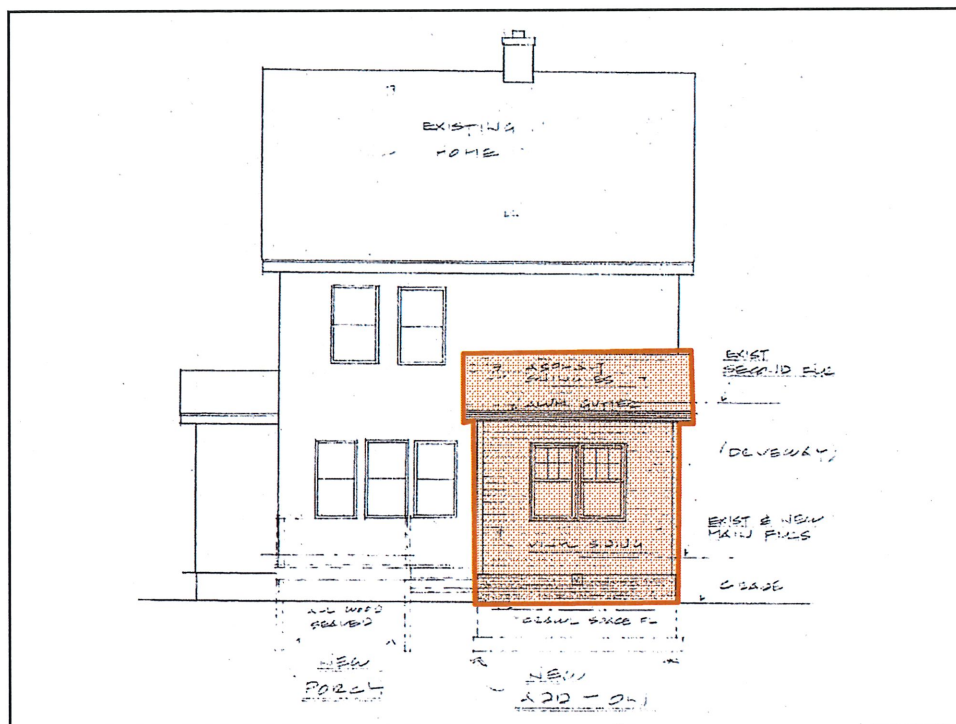
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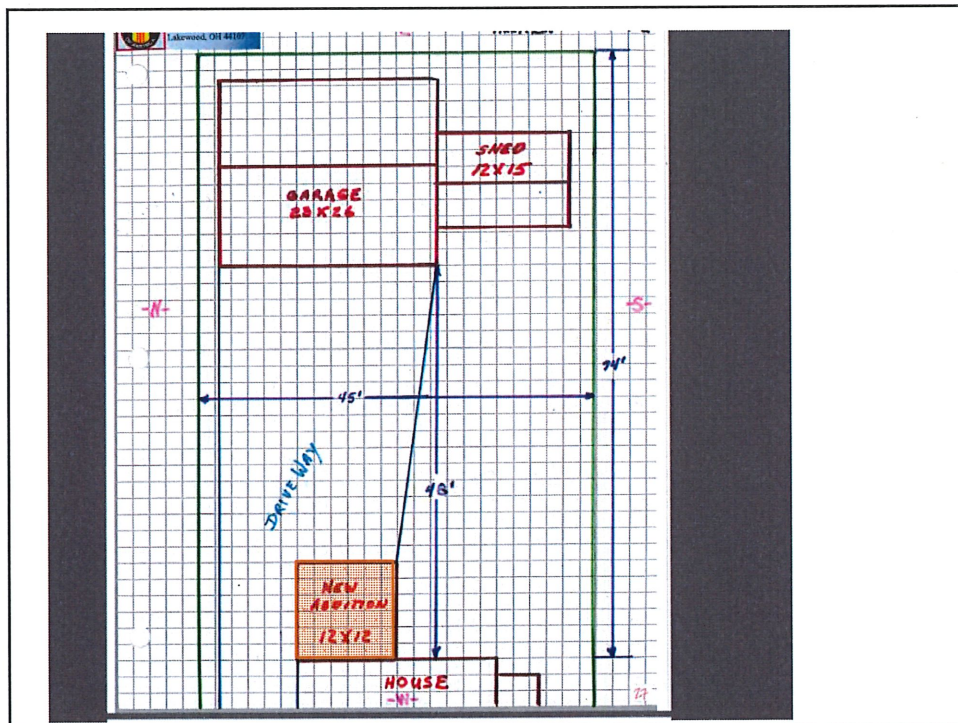
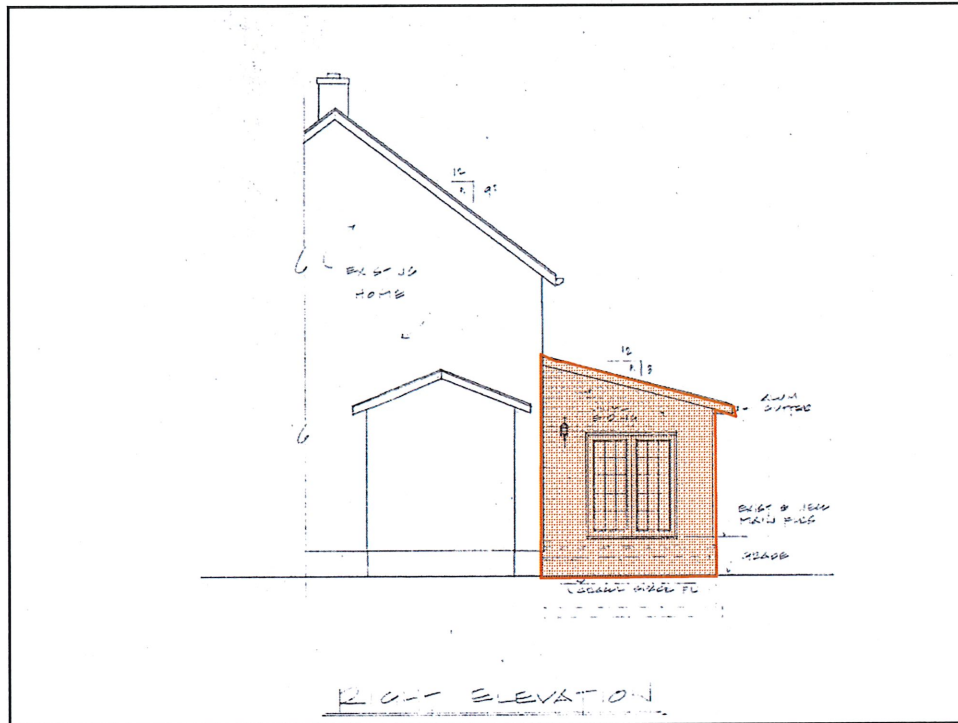


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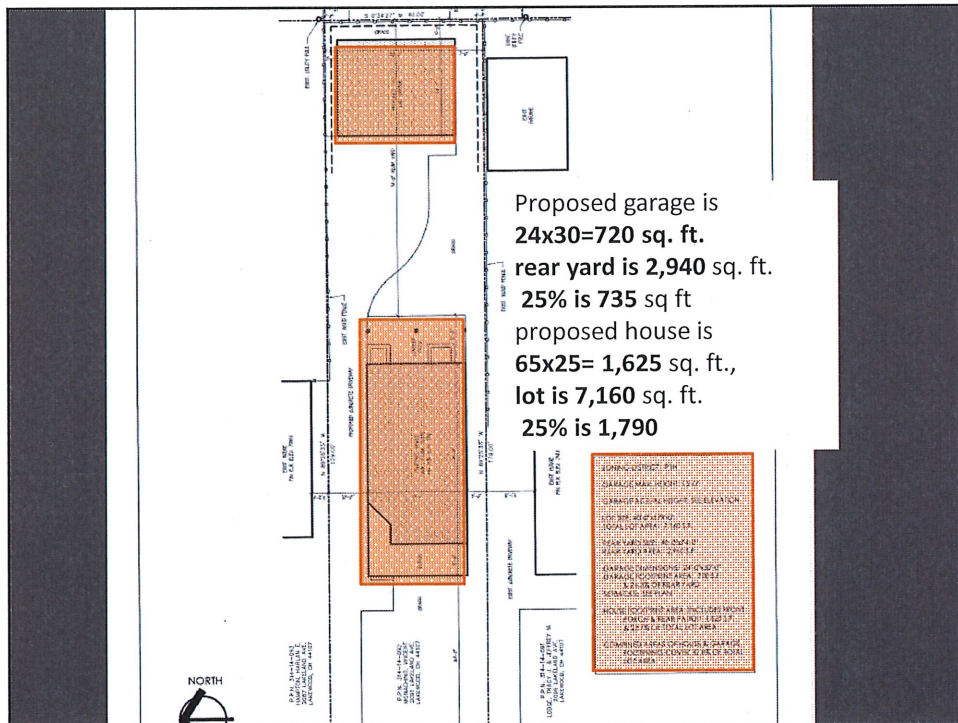


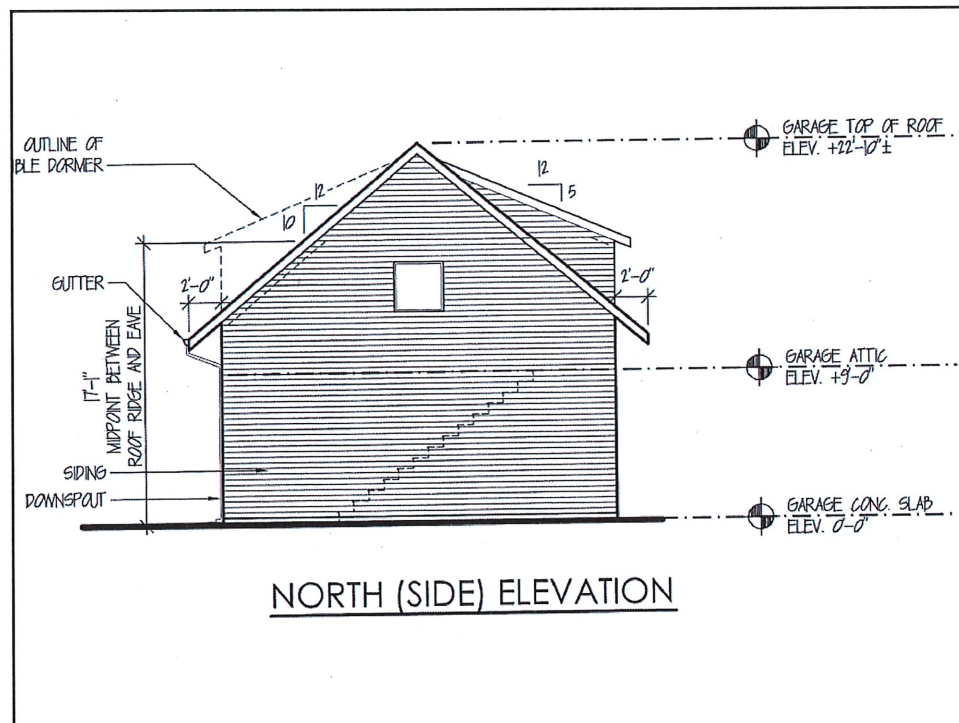
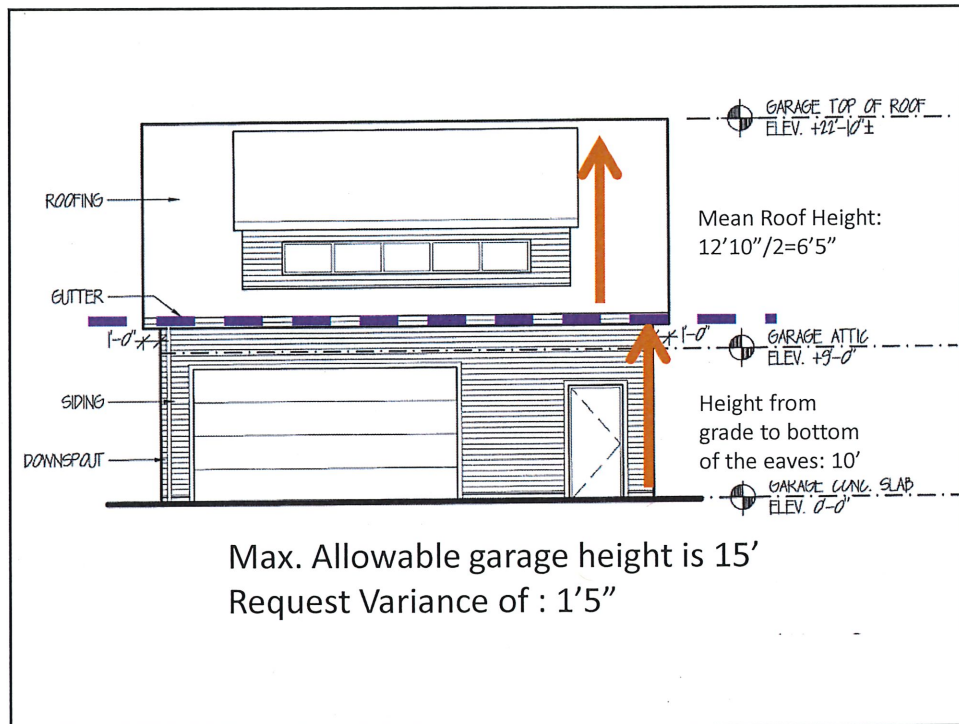


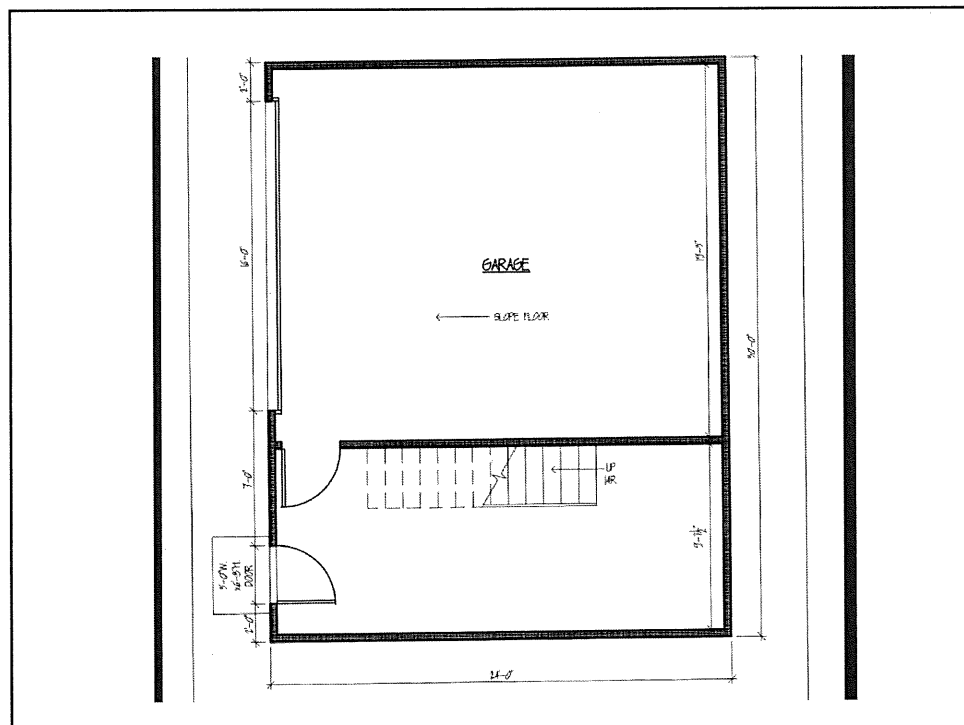
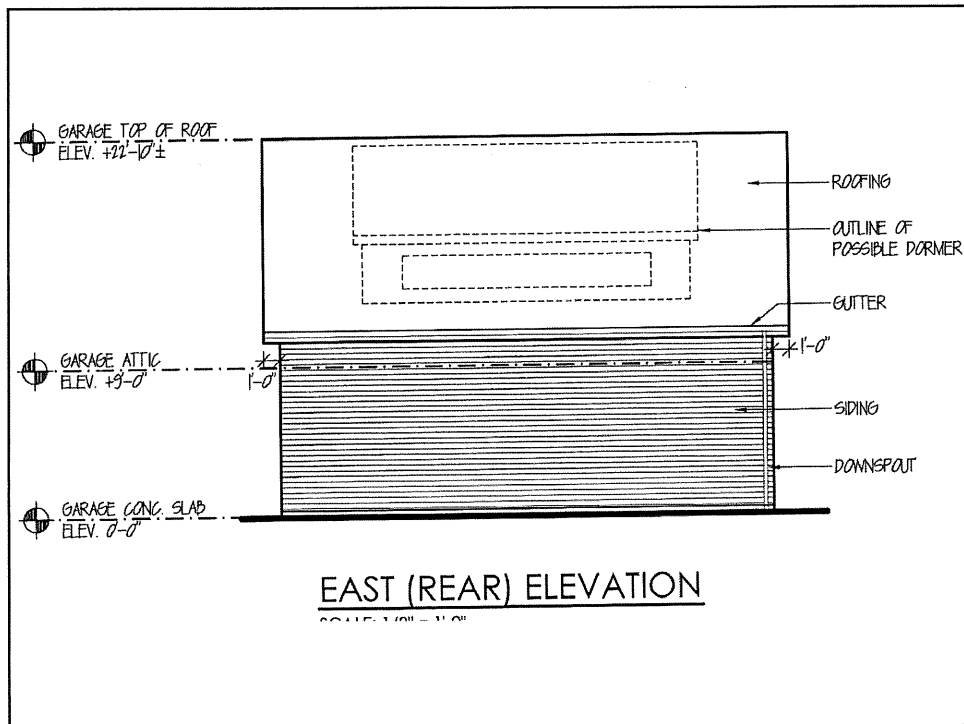


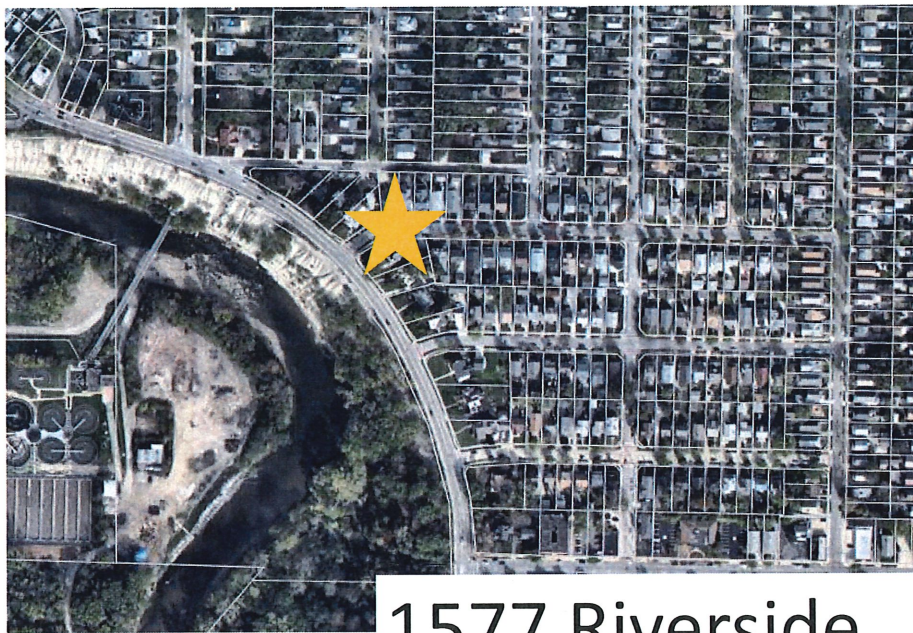
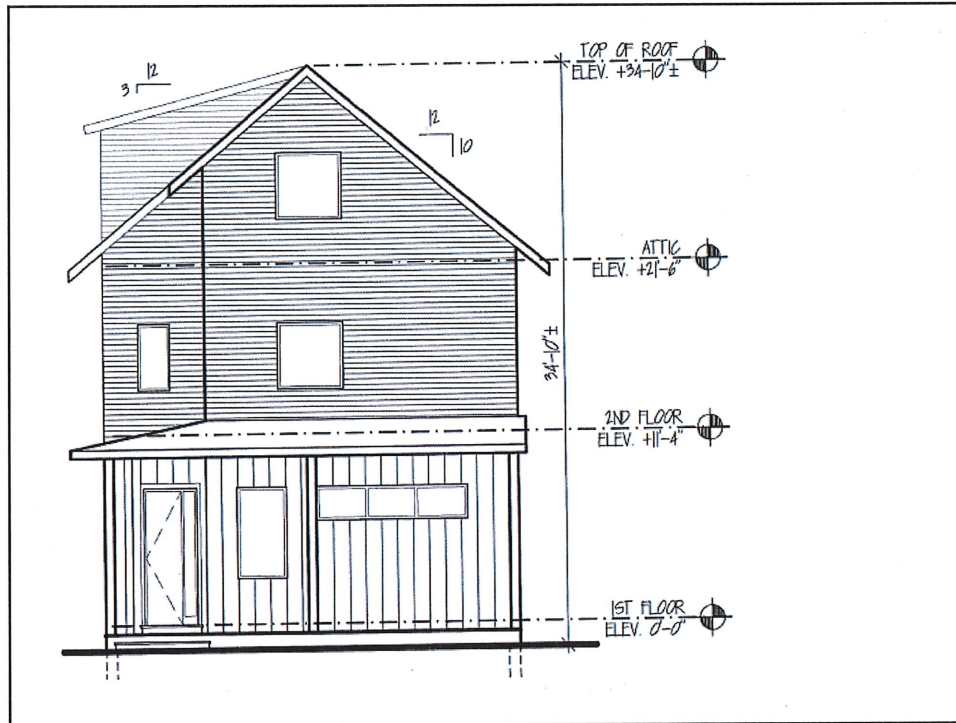






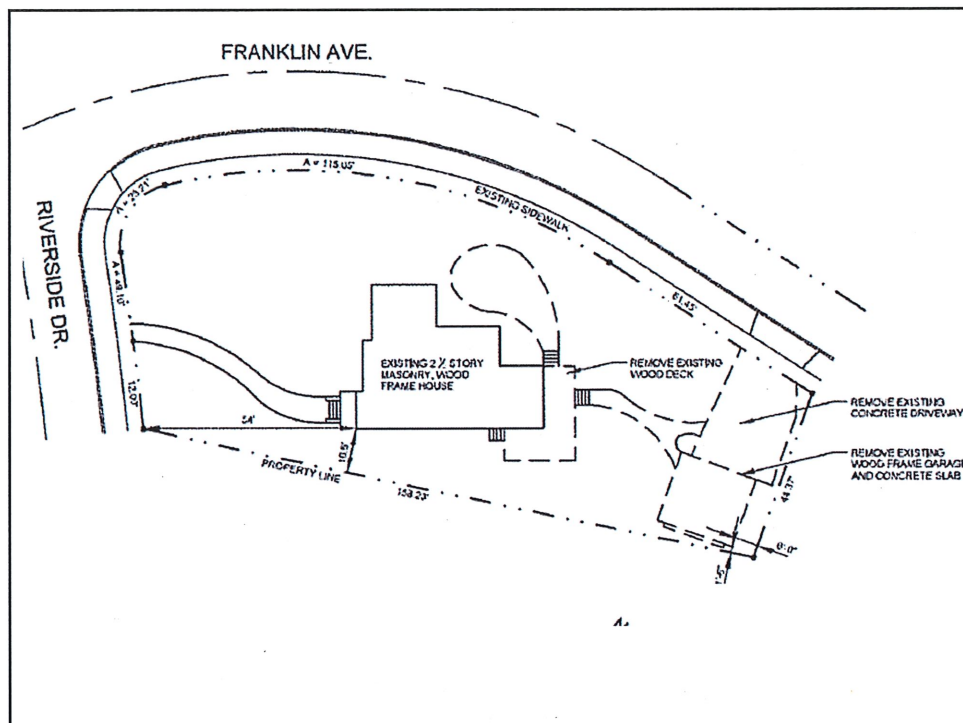


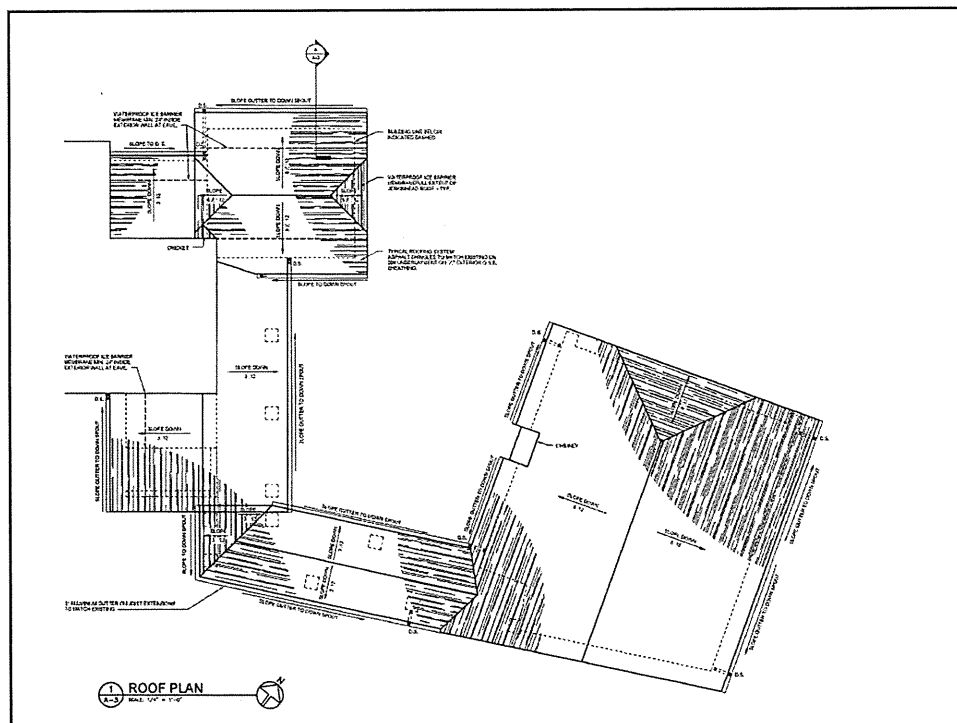
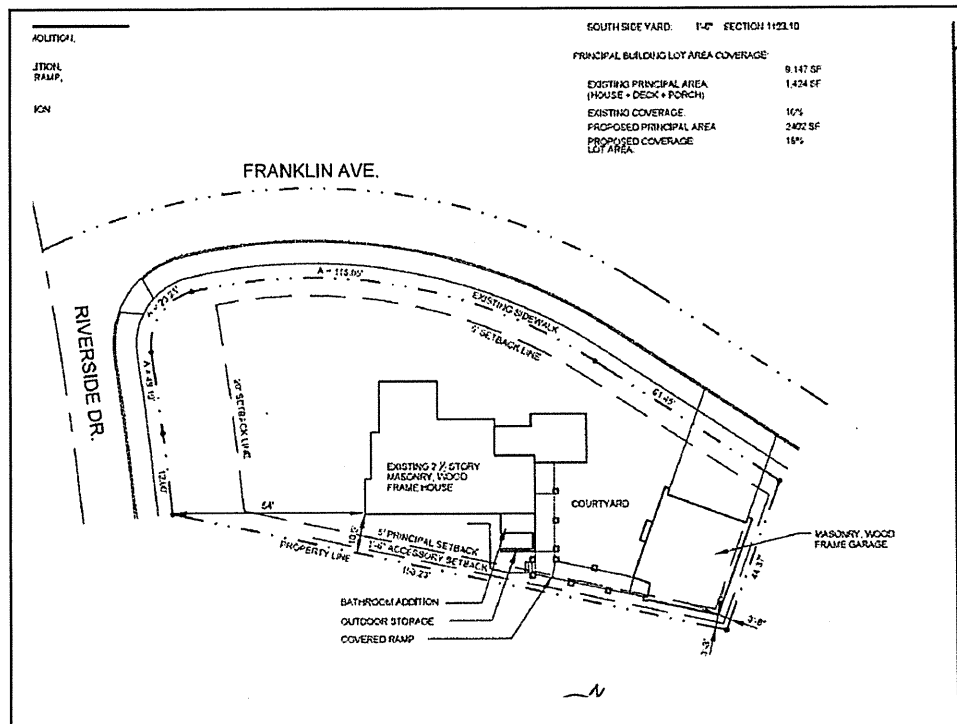


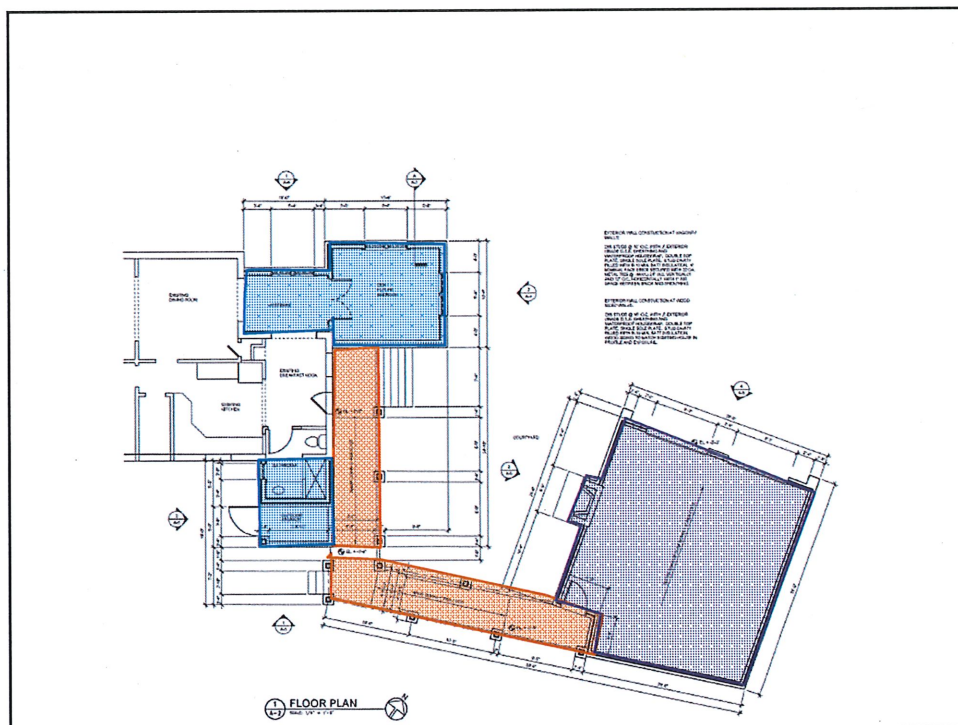
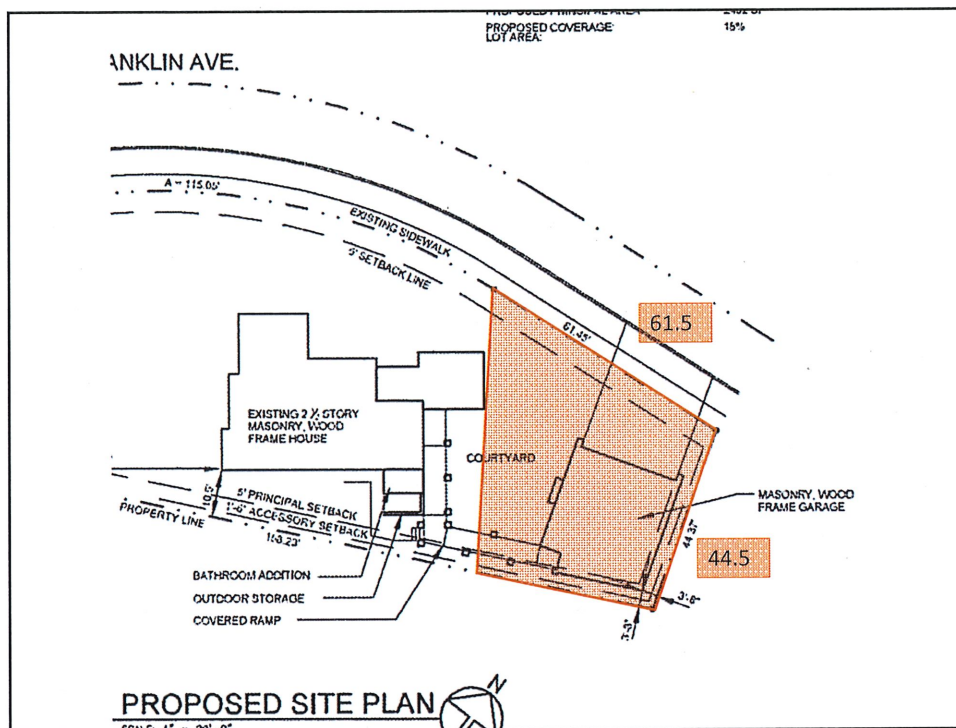


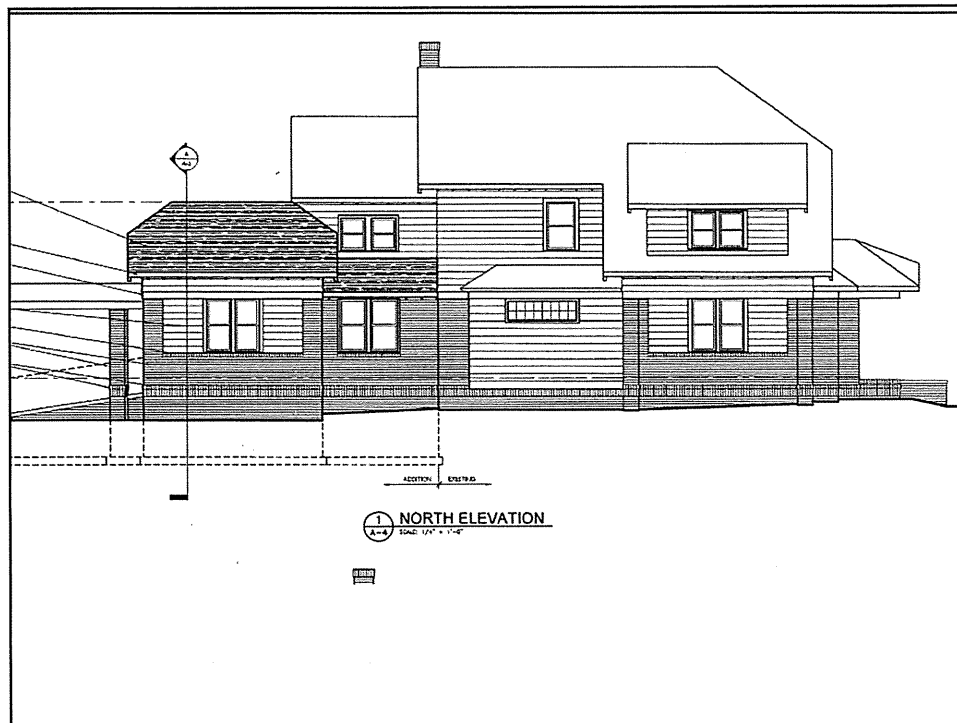
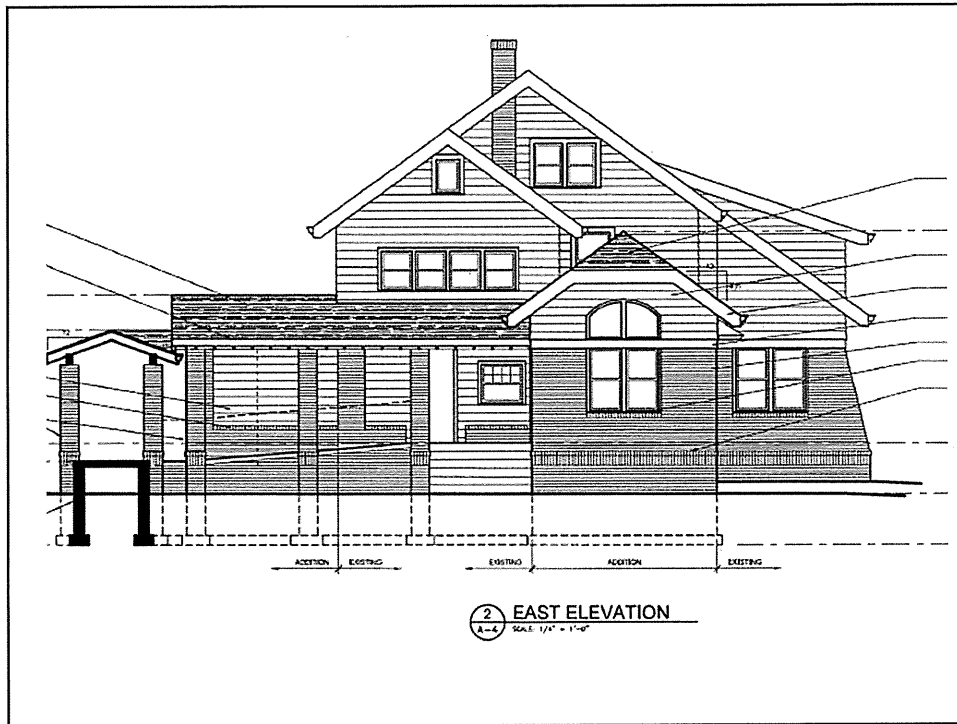


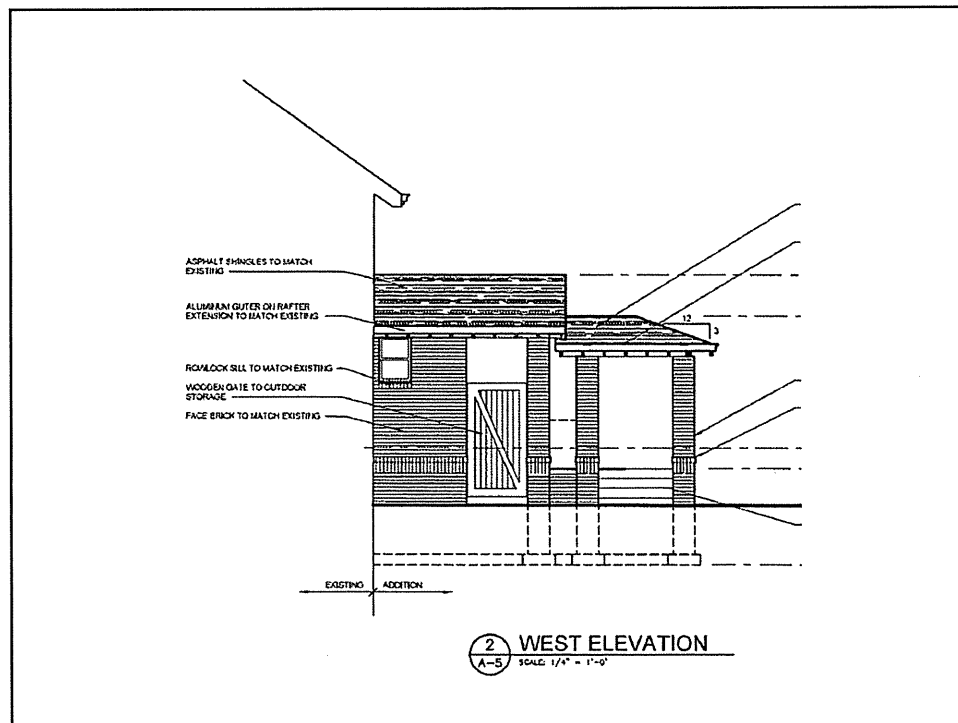
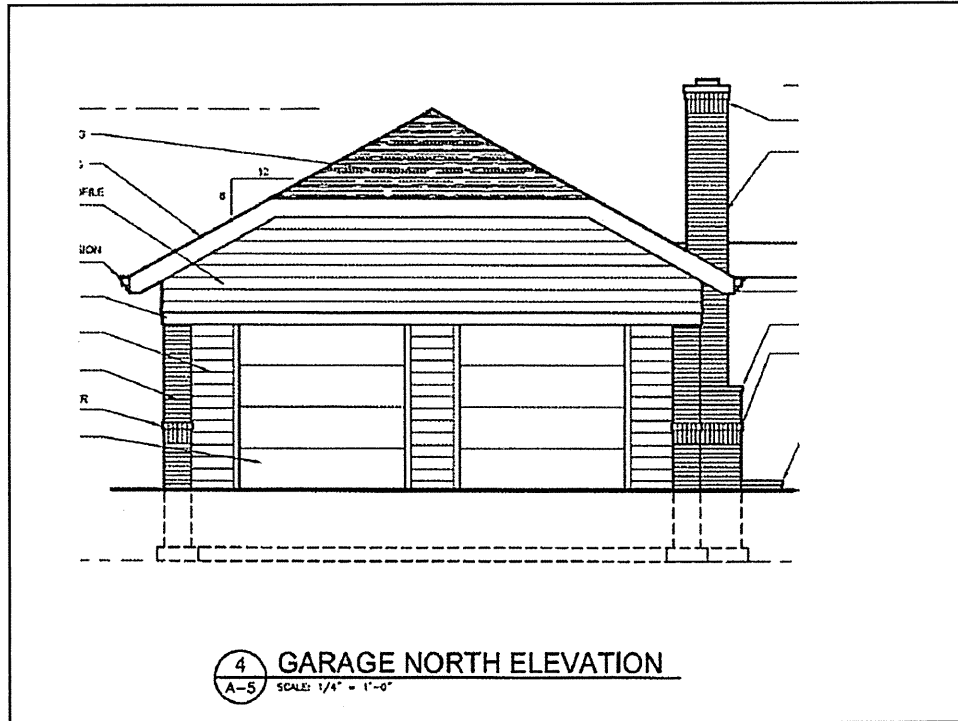


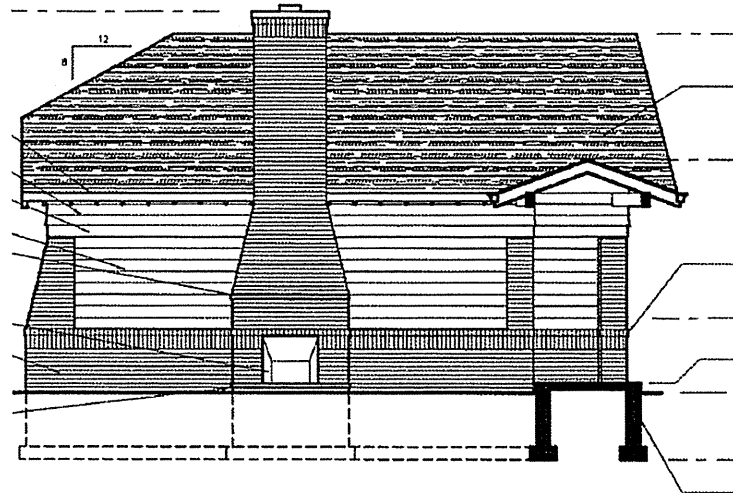




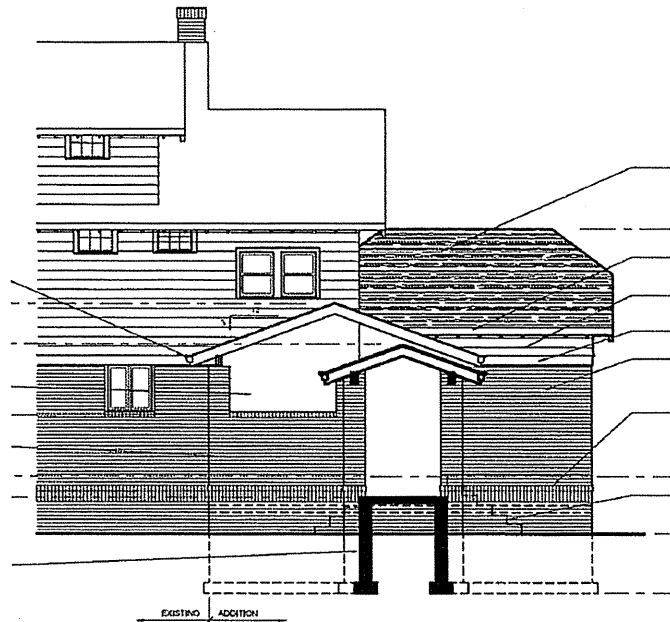








3 GARAGE WEST ELEVATION
A-S SCALE: 1/4" = 1'-0"



1 SOUTH ELEVATION
A-S SCALE: 1/4" = 1'-0"

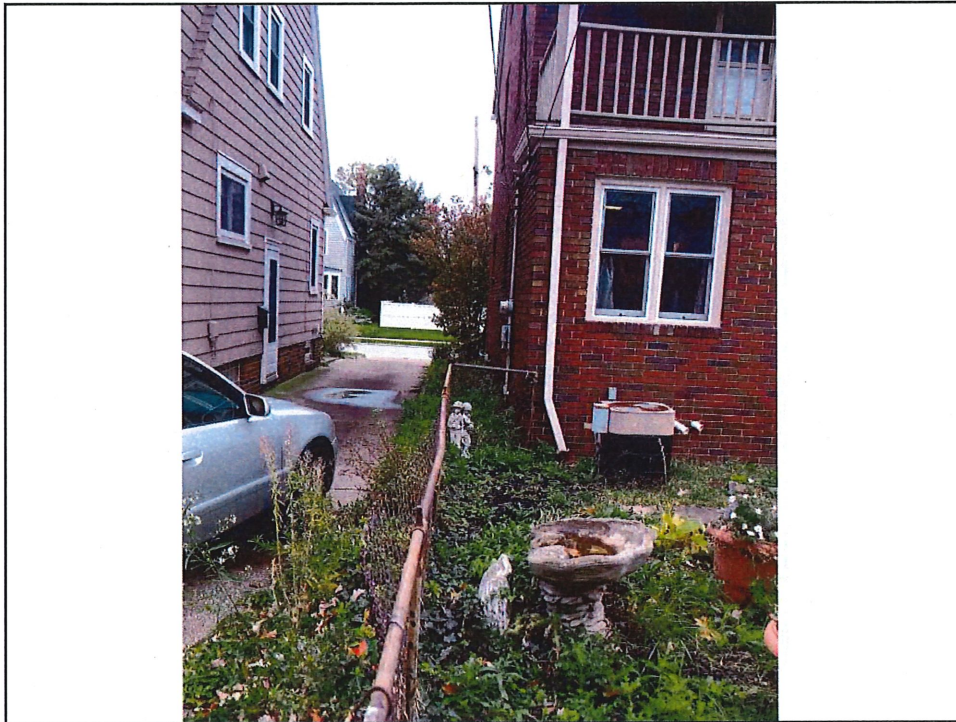




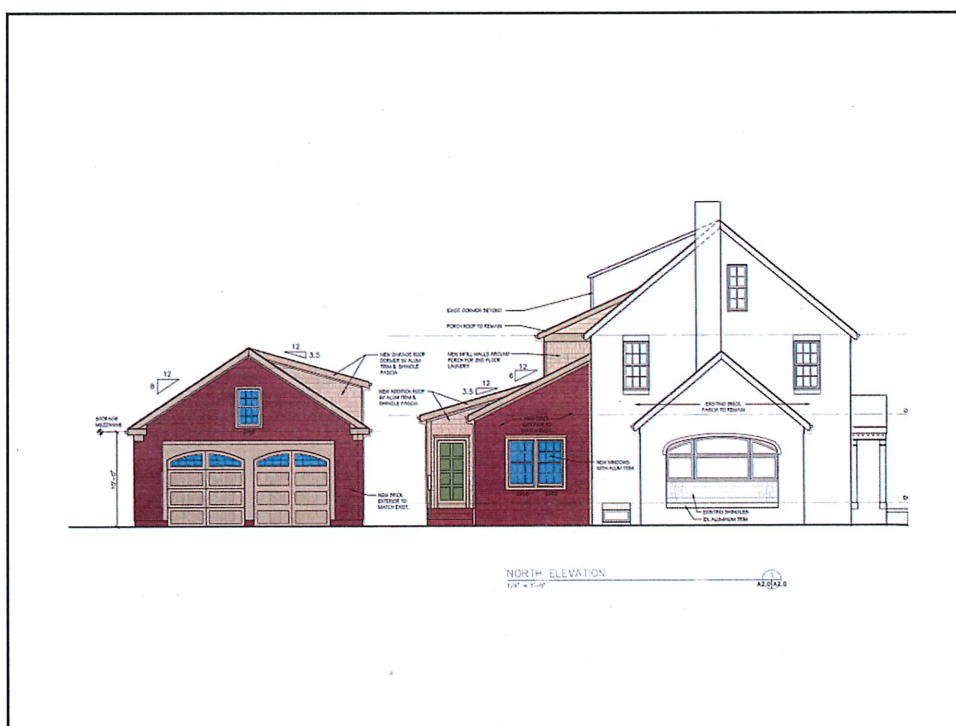
4/24/2018



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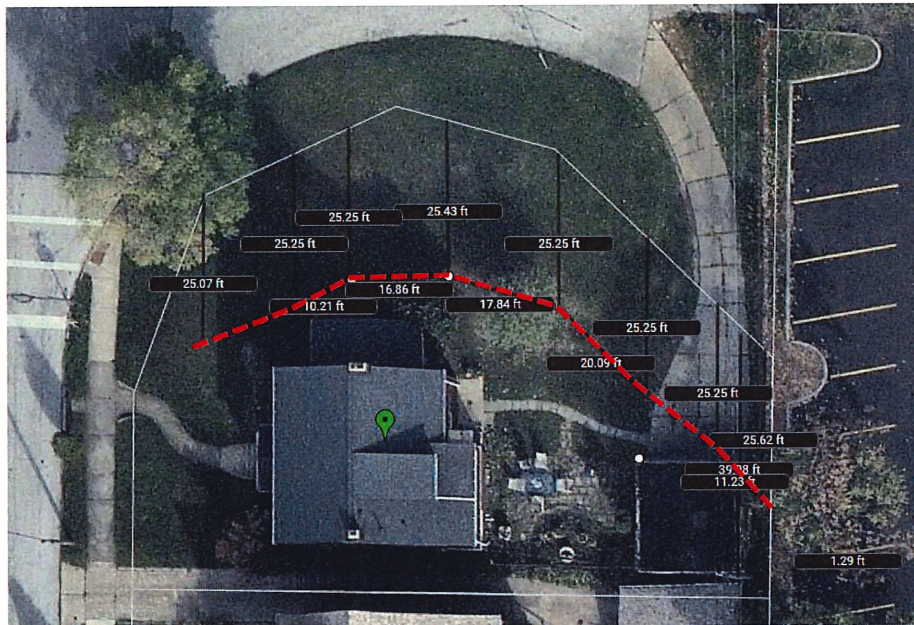
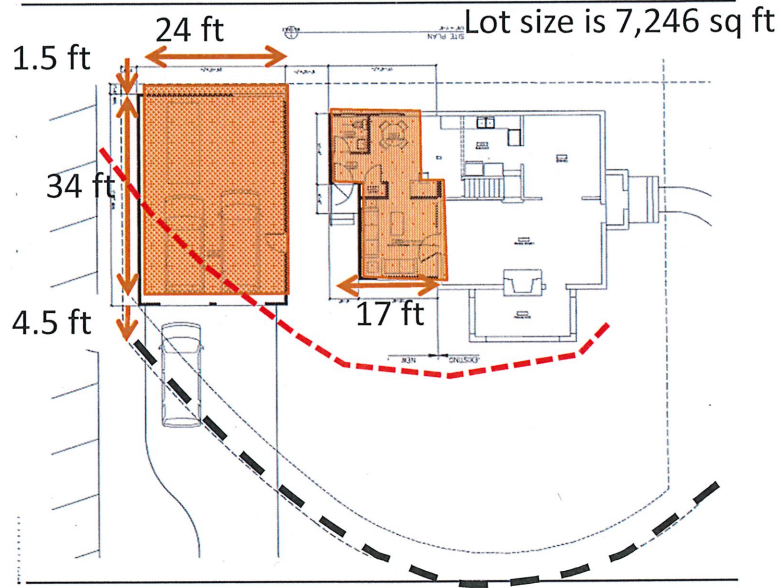








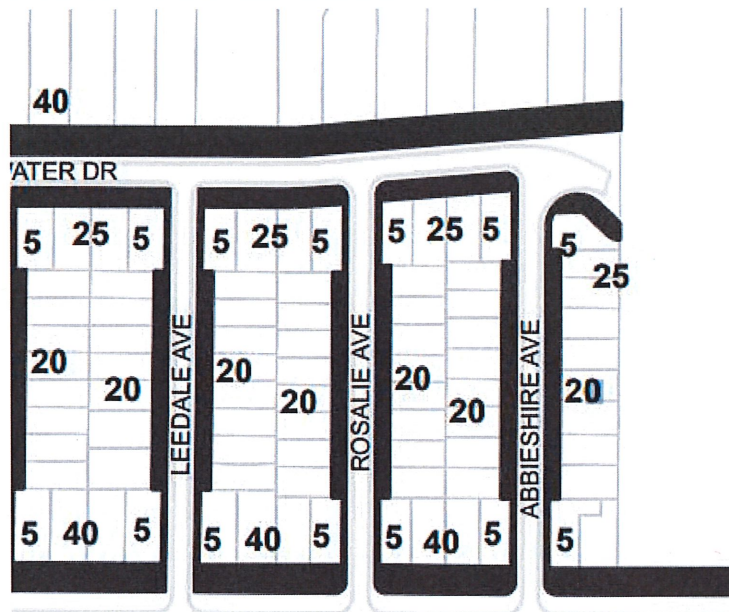
Proposed garage is 816 sq ft. set at 4.5 feet from the building line

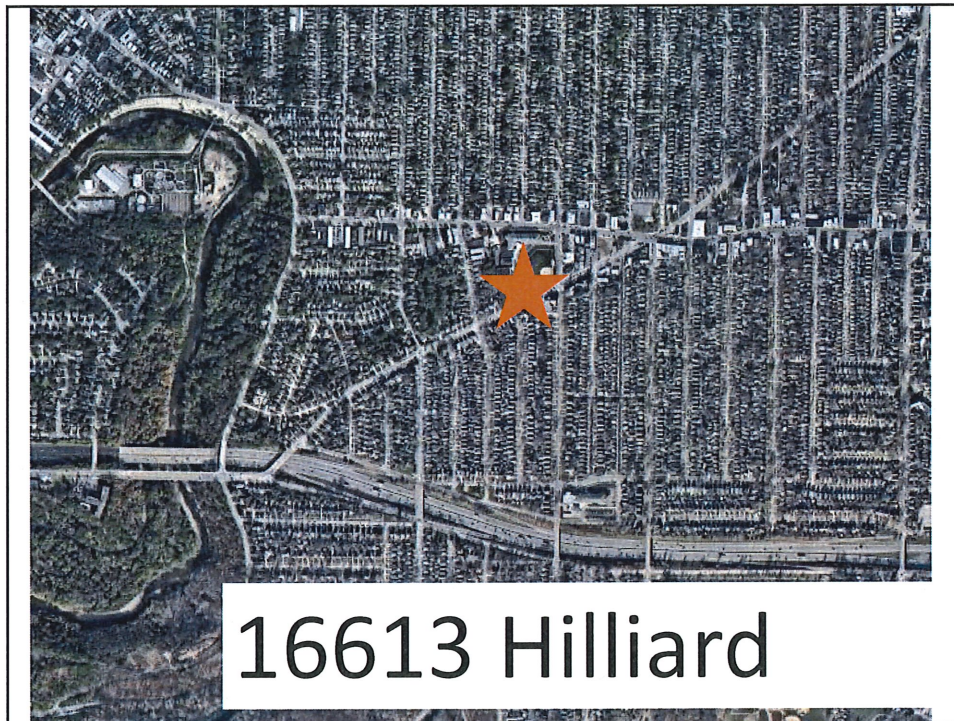


312-01-034
 VIGLIANCO, JOHN A.
 14907 EDGEWATER DR
 LAKEWOOD, OH. 44107

Land Record

Record Number	1	Land Type	1
Legal Front	85.8	Legal Depth	85.8
Effective Front	107	Avg Depth	68
Lot Size (SqFt.)	7276	Acreage	0.167
Topography	LEVEL	Lot Shape	IRREGULAR

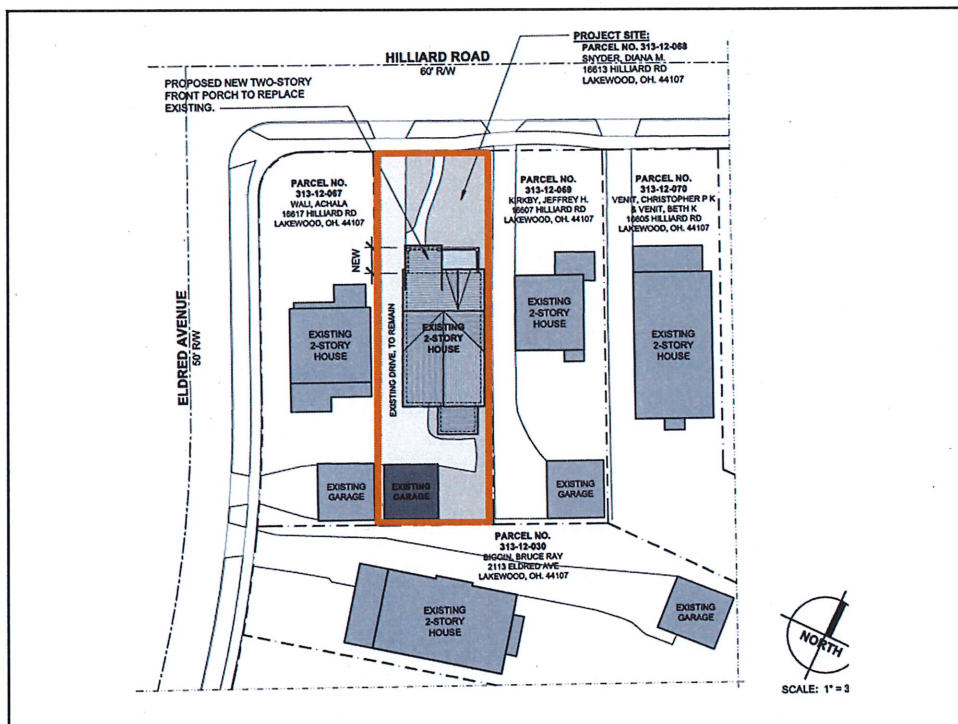


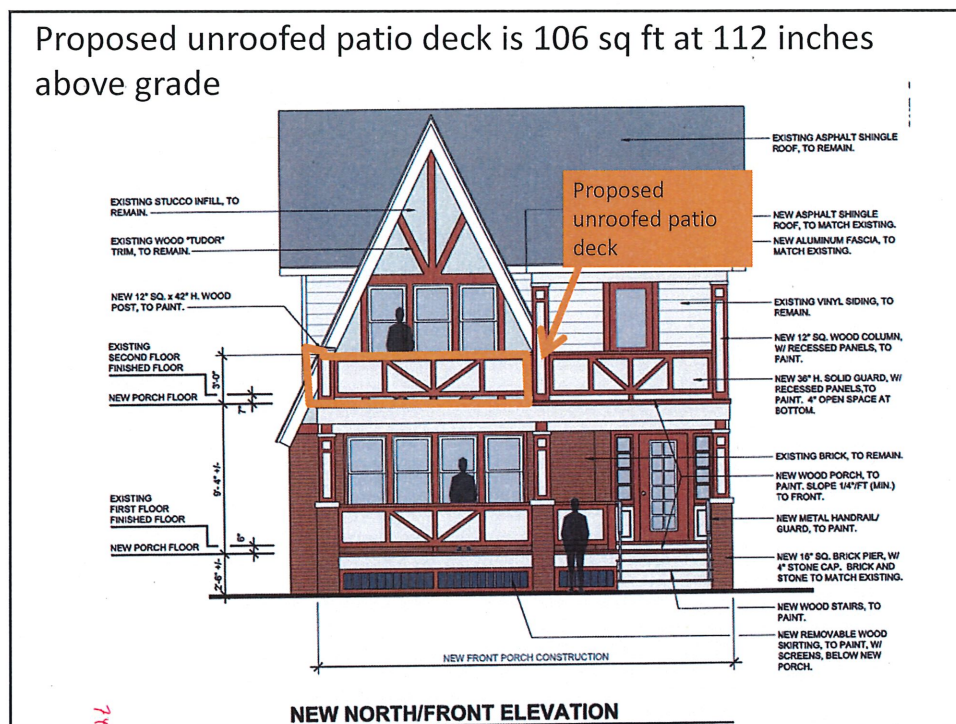
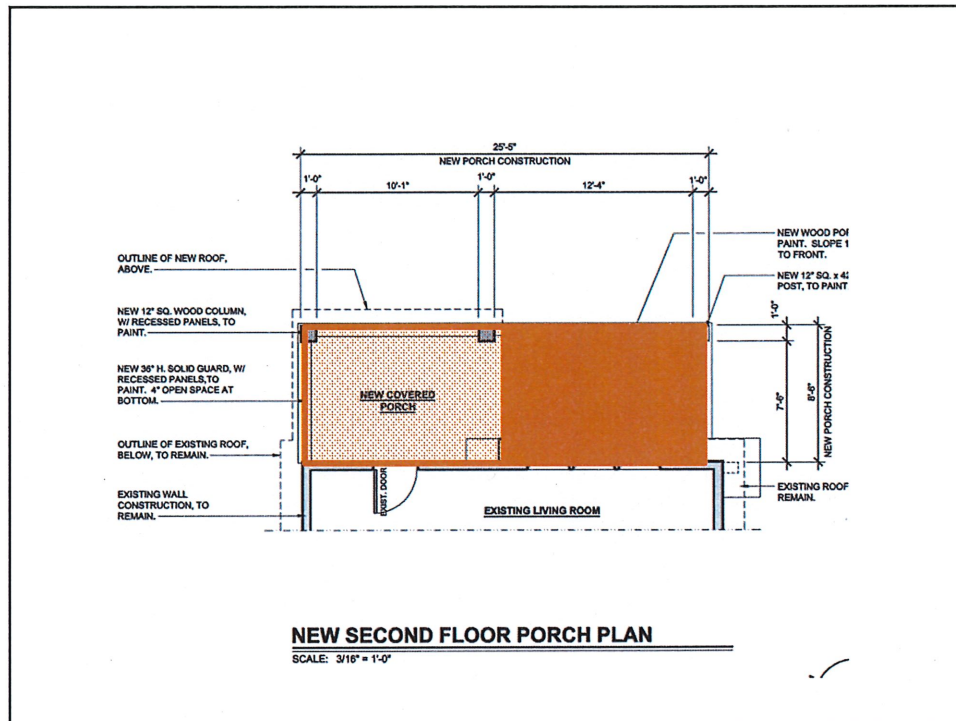


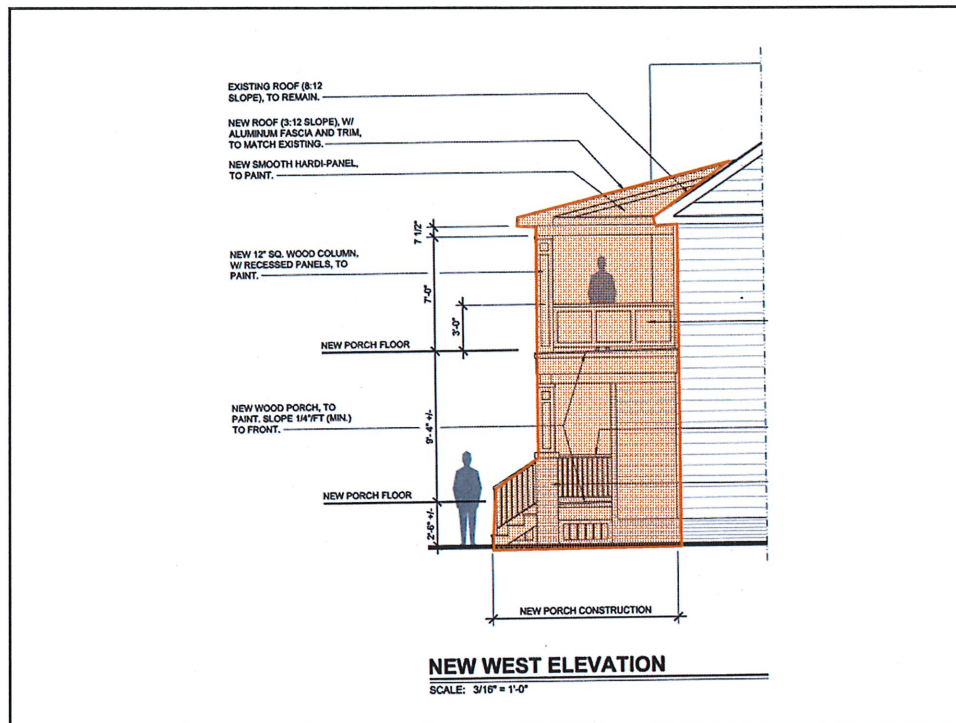


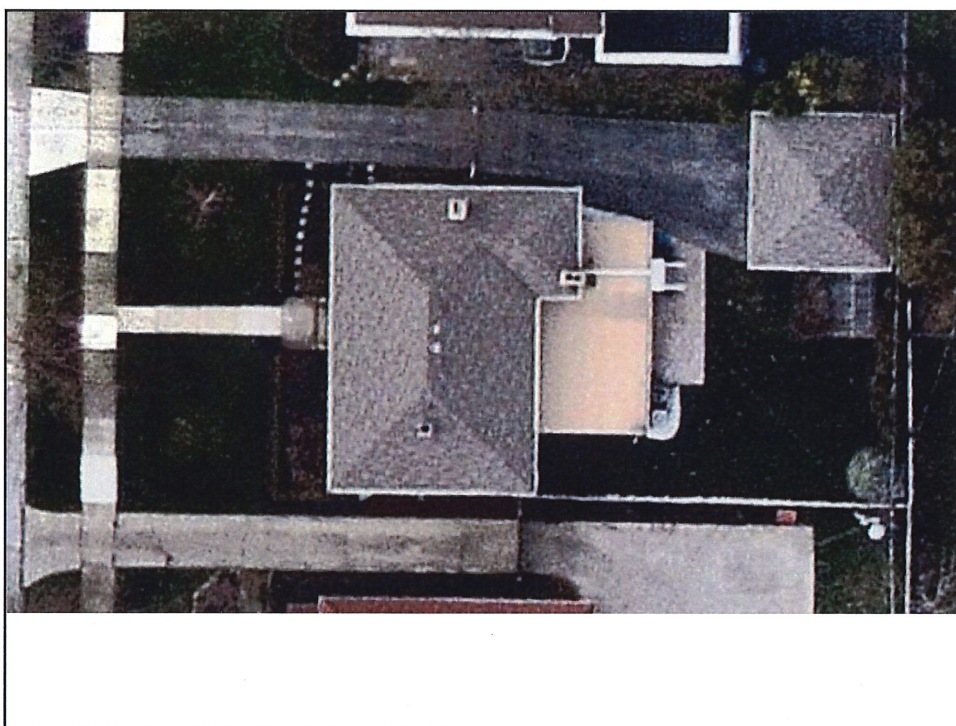
4/24/2018









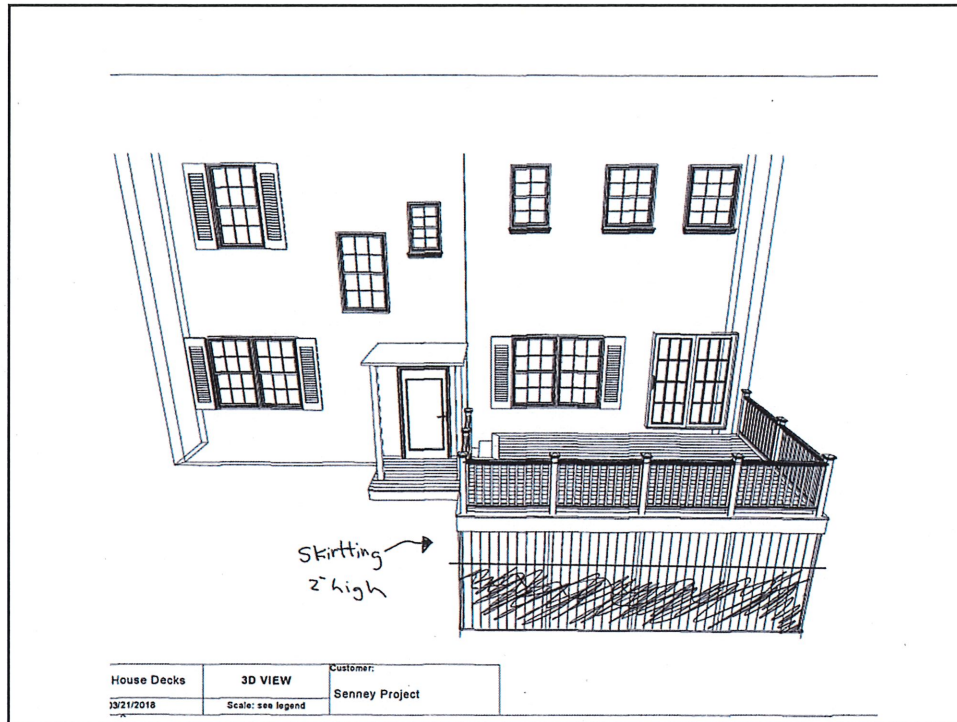


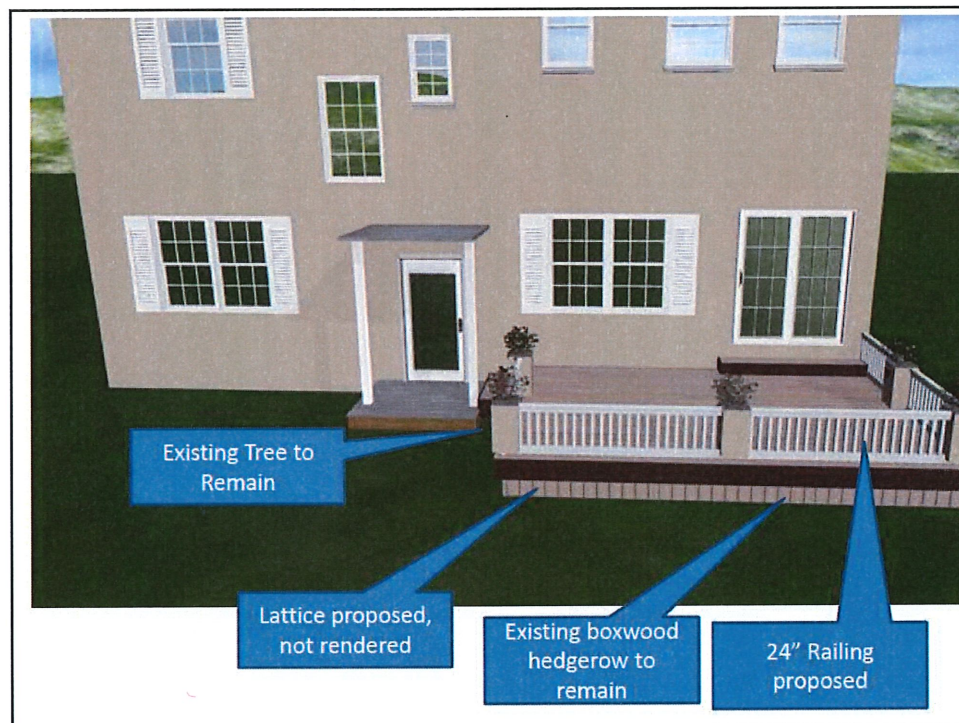


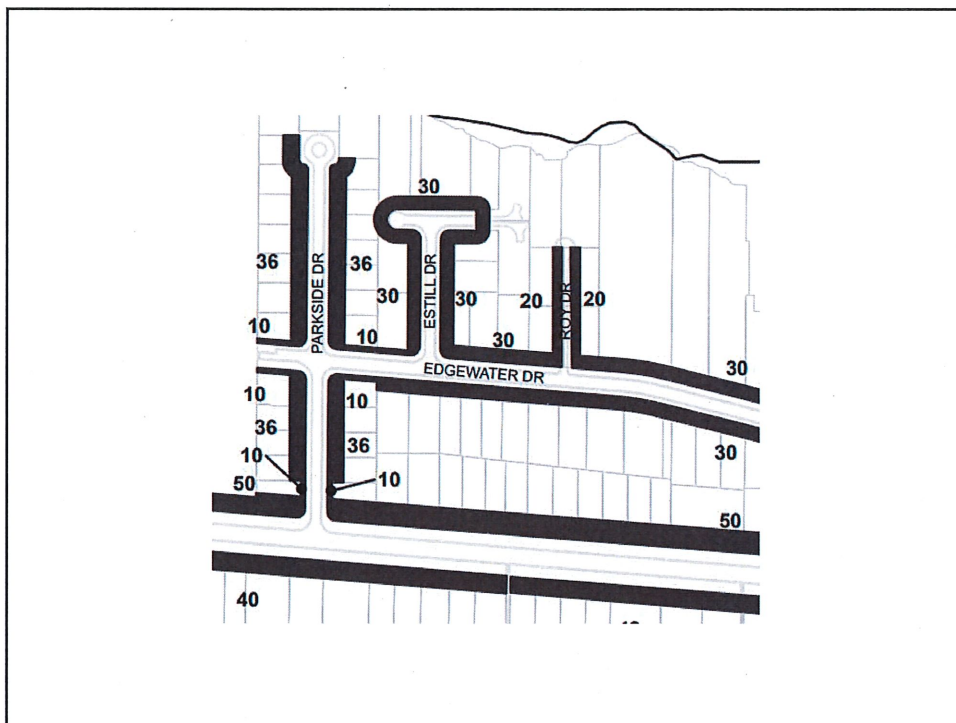
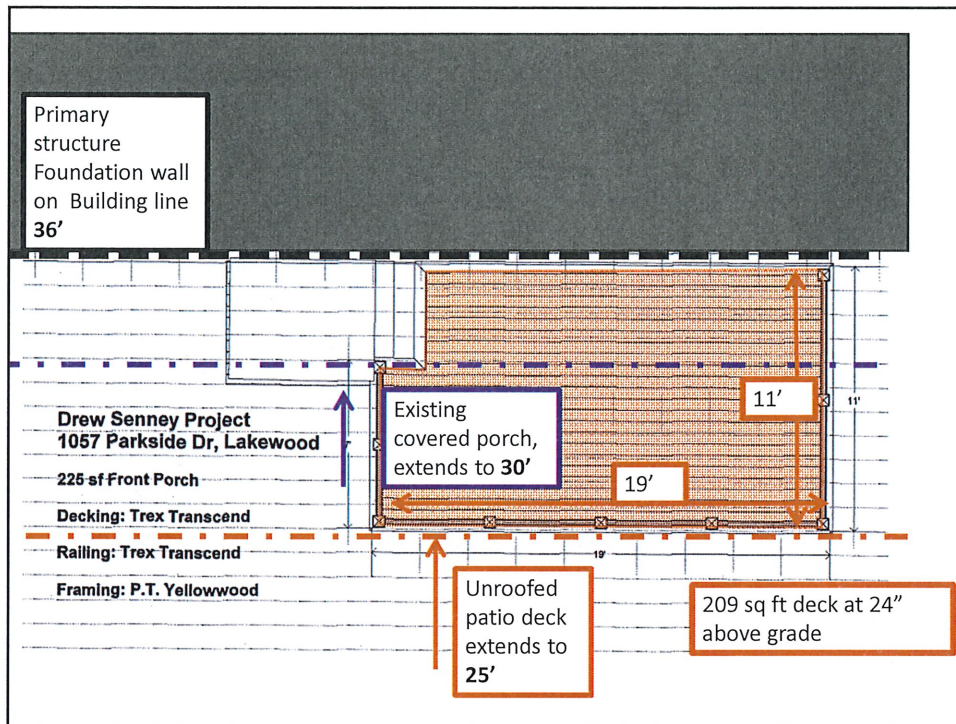
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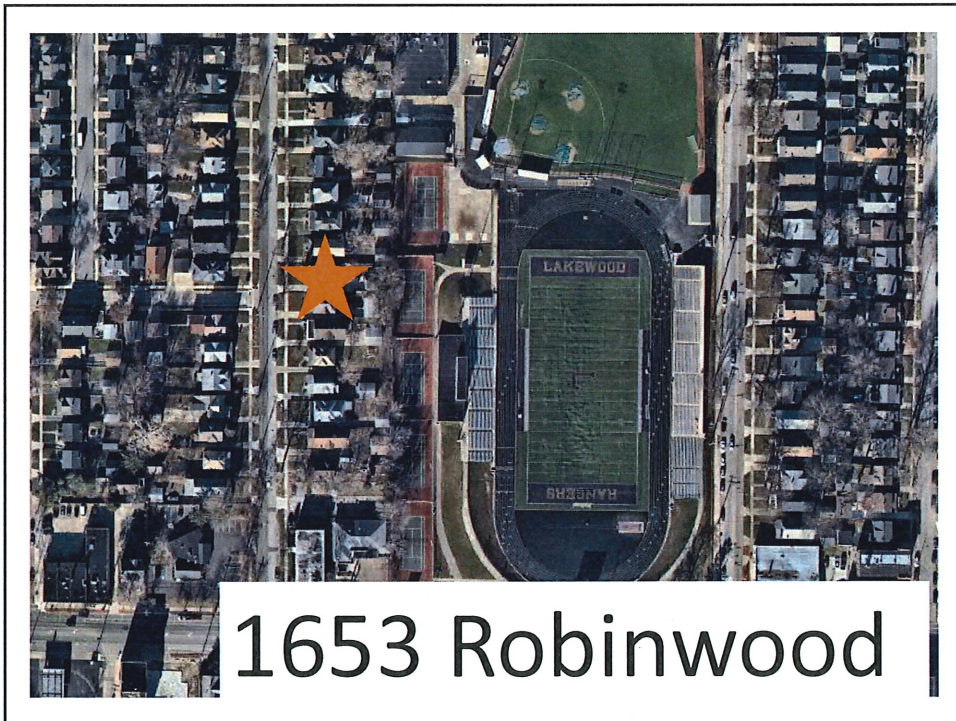
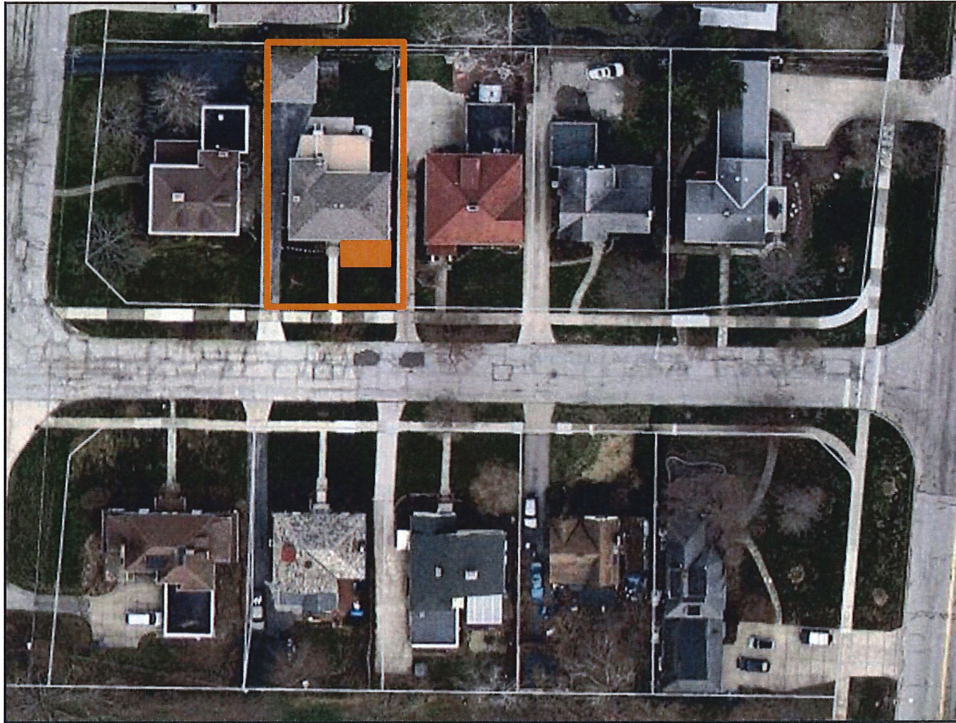


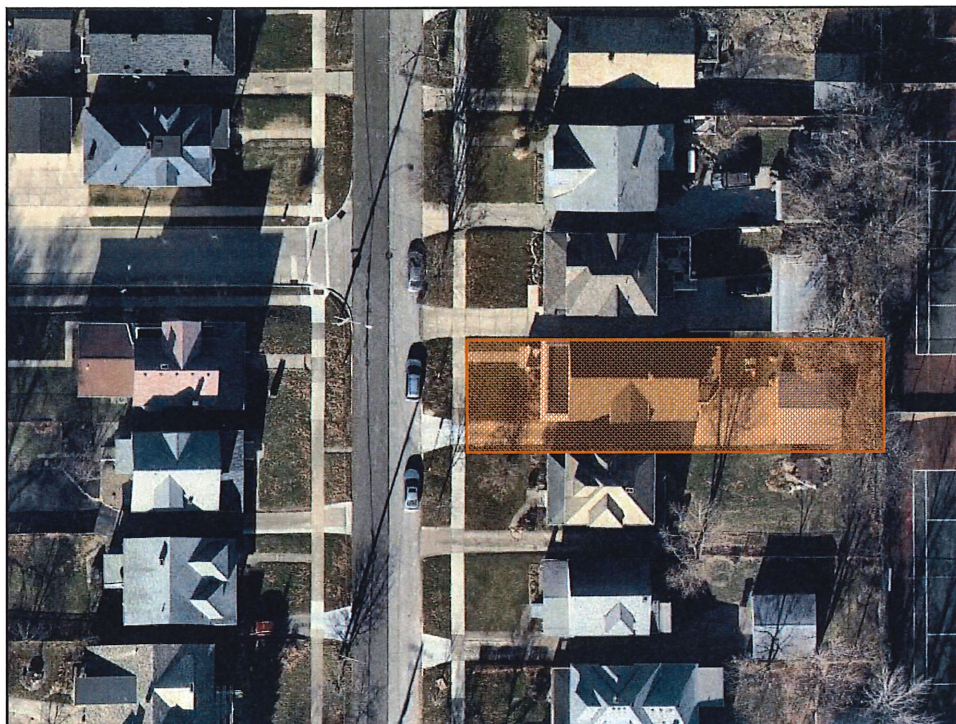










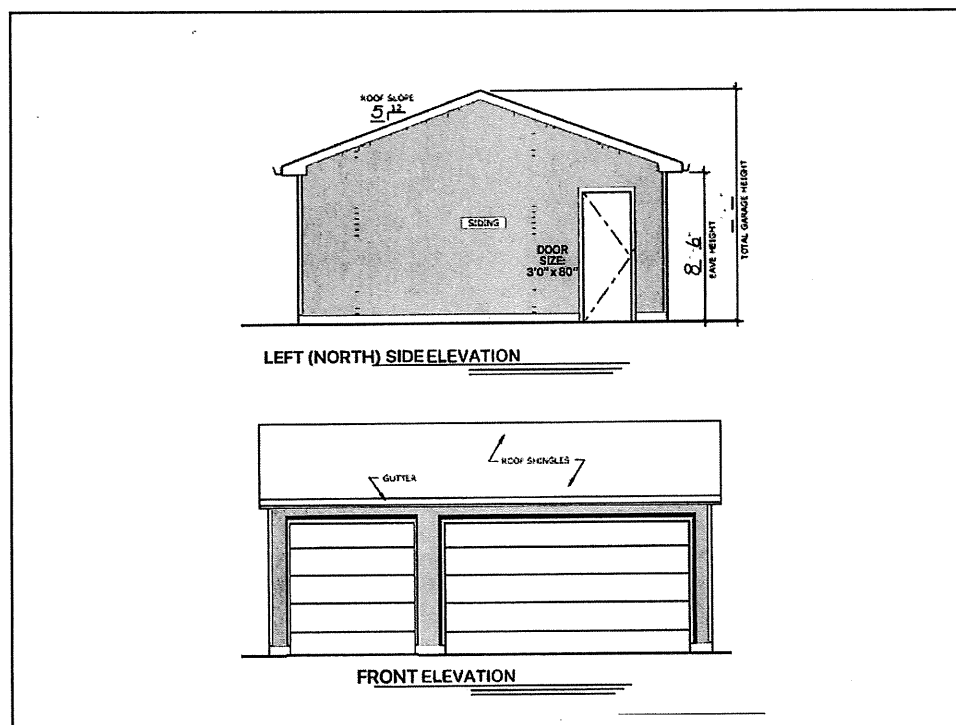
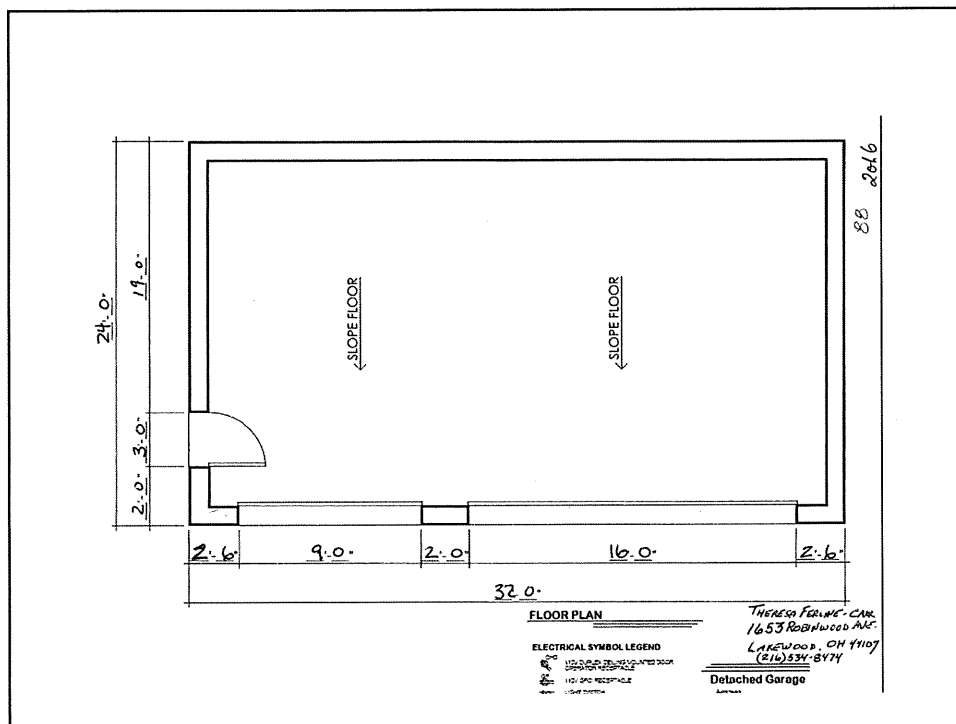


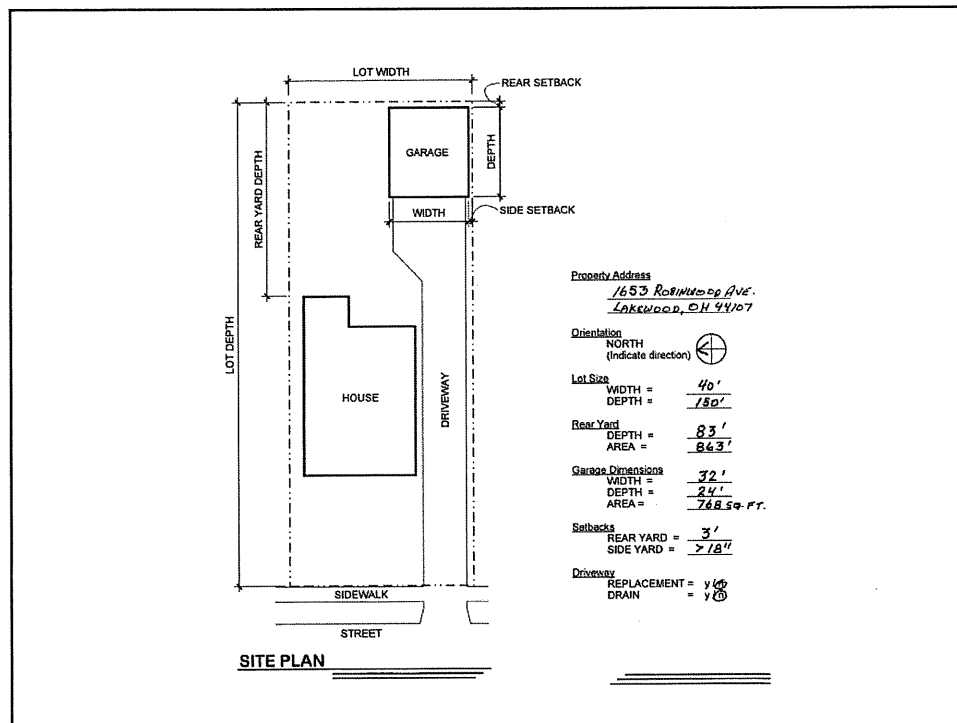
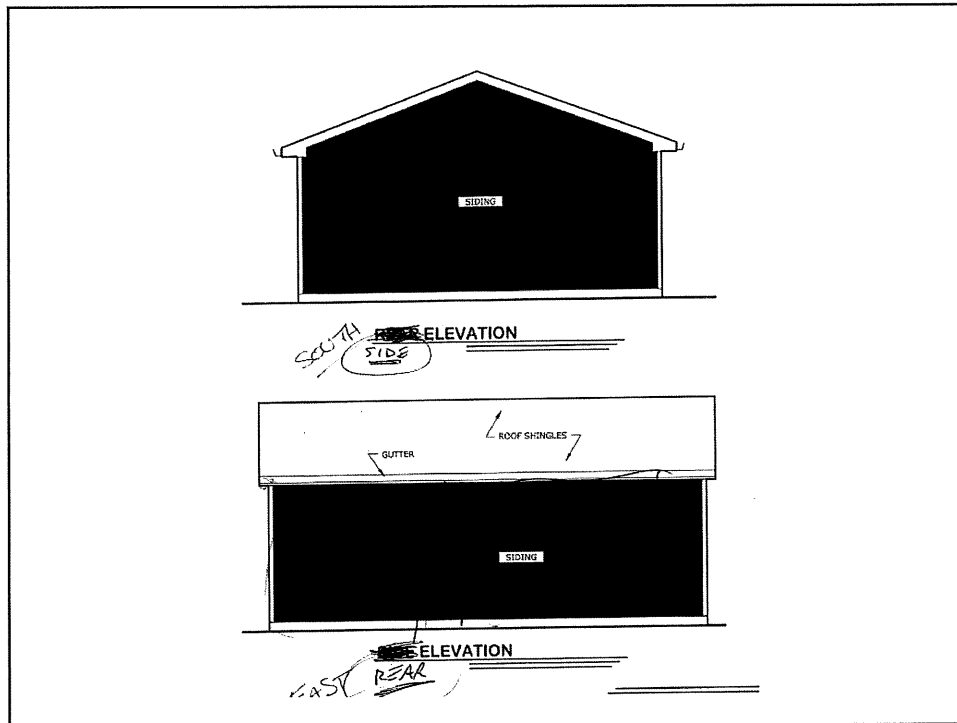
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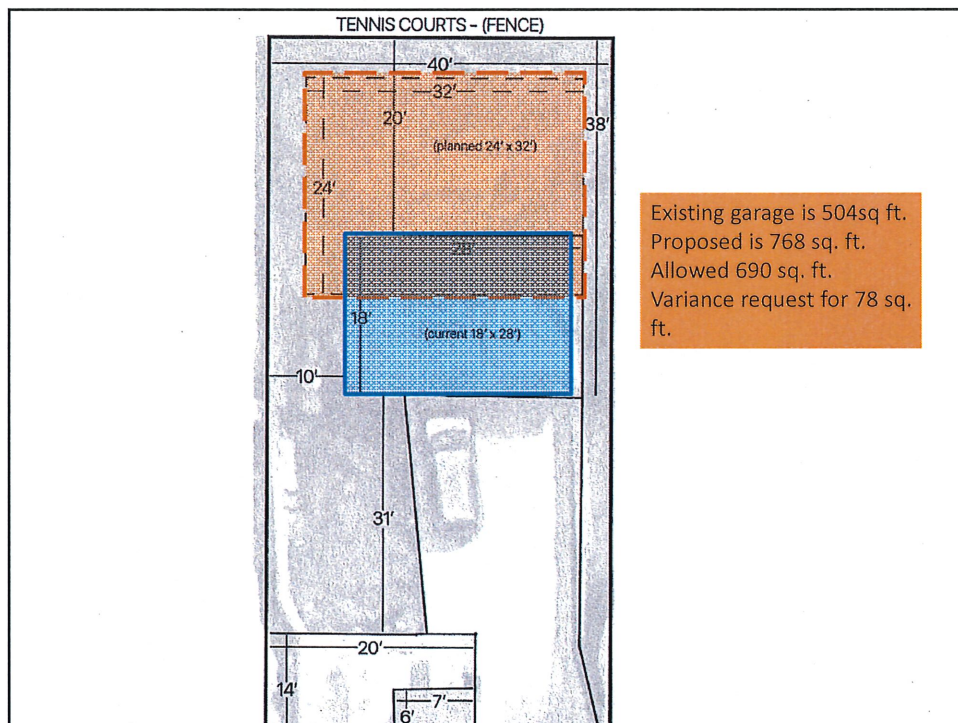
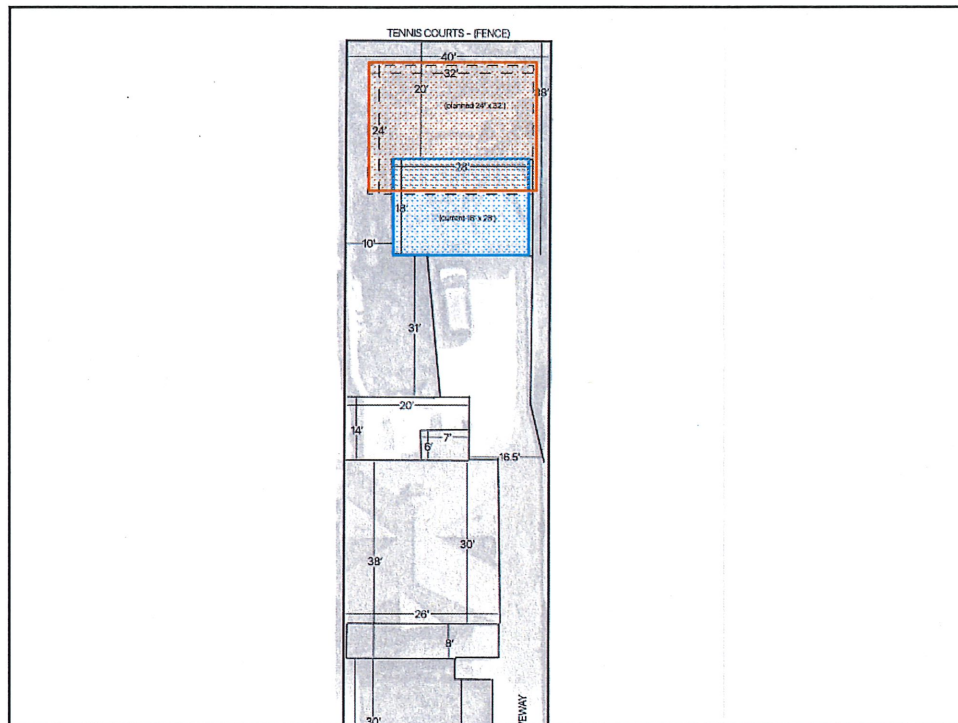


4/24/2018









Existing garage is 504sq ft.
Proposed is 768 sq. ft.
Allowed 690 sq. ft.
Variance request for 78 sq. ft.